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JOURNAL OF THE SENATE

CALIFORNIA LEGISLATURE

FIFTY-SIXTH (FIRST EXTRAORDINARY) SESSION

JANUARY 7 TO FEBRUARY 19, 1946

LIEUT. GOVERNOR FREDERICK F. HOUSER
President of the Senate

SENATOR JERROLD L. SEAWELL
President Pro Tempore of the Senate

JOSEPH A. BEEK
Secretary of the Senate

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CALIFORNIA LEGISLATURE
FIFTY-SIXTH (FIRST EXTRAORDINARY) SESSION

SENATE DAILY JOURNAL

FIRST LEGISLATIVE DAY
FIRST CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO
Monday, January 7, 1946

The Senate met at 11 o'clock a.m., pursuant to the provisions of the Proclamation of His Excellency, Earl Warren, Governor of the State of California, dated January 2, 1946, convening the Legislature of the State of California on this day in extraordinary session.

Lieutenant Governor Frederick F. Houser, President of the Senate of the Fifty-sixth Session, in the chair, called the Senate to order.

Pursuant to the provisions of Section 9150 of the Government Code, Joseph A. Beek, Secretary of the Senate; John F. Lea, Minute Clerk of the Senate; Joseph F. Nolan, Sergeant-at-Arms of the Senate, were present and occupied their respective positions.

ROLL CALL

The roll was called, and the following Senators answered to their names:

Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—39.

Quorum present.

PRAYER

By invitation of the President, prayer was offered by the Rev. Dr. Clarence A. Kircher, Chaplain of the Senate for the Fifty-sixth Session.

LEAVES OF ABSENCE FOR THE DAY

The following Senator was granted leave of absence for the day:

Senator Desmond, on motion of Senator Seawell, due to death in family.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Fletcher, the privilege of the floor of the Senate Chamber for this day was unanimously extended to C. C. McCafferty, R. J. Moskowski, and Clinton D. McKinnon, of San Diego.

On request of Senator Salsman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Derk Johnson of San Jose.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for this day was unanimously extended to George R. Cadan of Santa Rosa.

On request of Senator McBride, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Signalman Robert Seawell, U. S. N., son of Senator Jerrold L. Seawell.

On request of Senator Donnelly, the privilege of the floor of the Senate Chamber for this day was unanimously extended to William A. Swanson, and Albert Taylor of Turlock.

PROCLAMATION OF THE GOVERNOR

The President of the Senate directed the Secretary to read the Proclamation of the Governor convening the Legislature in extraordinary session.

Whereupon the Secretary read the following Proclamation:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA

Proclamation

WHEREAS, An extraordinary occasion has arisen and now exists requiring that the Legislature of the State of California be convened in extraordinary session; now, therefore,

I, EARL WARREN, Governor of the State of California, by virtue of the power and authority in me vested by Section 9 of Article V of the Constitution of the State of California, do hereby convene the Legislature of the State of California to meet in extraordinary session at Sacramento, California, on Monday, the seventh day of January, 1946, at 11 o'clock a.m. of said day for the following purposes and to legislate upon the following subjects:

1. To consider and act upon legislation relating to veterans of wars in which the United States of America is or has been engaged.

2. To consider and act upon legislation to provide for the development of housing facilities and to provide for State assistance to local governmental agencies in acquiring, managing and disposing of such facilities.

3. To consider and act upon legislation to make an appropriation to cities, counties, and cities and counties to aid in carrying out the provisions of the Community Redevelopment Act (Chapter 1326, Statutes of 1945).

4. To consider and act upon legislation to appropriate money for public works.

5. To consider and act upon legislation to provide for the creation of a State agency to make continuous economic surveys and investigations and to recommend measures necessary to provide for continuous employment of persons within the State.

6. To consider and act upon legislation relating to the personnel and duties of the Reconstruction and Reemployment Commission.

7. To consider and act upon legislation relating to child care centers.

8. To consider and act upon legislation relating to on-the-job and apprenticeship training and to make an appropriation to the Apprenticeship Council.

9. To consider and act upon legislation to accept upon behalf of the State the provisions of any Federal law providing grants-in-aid for hospitals and to provide for a survey of hospital facilities and needs.

10. To consider and act upon legislation to make an appropriation for additional support of the State Fire Marshal for the administration of Chapter 727, Statutes of 1945, relating to fireproofing of tents and awnings, and Chapter 728, Statutes of 1945, relating to inflammable fabrics.

11. To consider and act upon legislation authorizing the use of public personnel, property, and funds for cities, counties, cities and counties, and public districts to meet emergencies caused by or incident to the reconversion from a wartime to a peacetime economy.

12. To consider and act upon legislation to extend the effective period of Chapter 581 of the Statutes of 1943, as amended, relating to the determination of the population of cities and cities and counties.

13. To consider and act upon legislation to provide for a medical school and center at the University of California at Los Angeles.

14. To consider and act upon legislation to provide for the prevention and elimination of practices of discrimination in employment and otherwise against persons because of race, creed, color, national origin or ancestry.

15. To consider and act upon legislation to make an additional appropriation for the support of the Department of Motor Vehicles to provide for increased services by the California Highway Patrol and the Division of Registration.

16. To consider and act upon legislation to make an additional appropriation to the Department of Public Health for the purpose of mosquito abatement work.

17. To consider and act upon legislation to increase the limitation imposed upon assessments of mosquito abatement districts.

18. To consider and act upon legislation to make the provisions of the District Investigation Act of 1933 inapplicable to mosquito abatement districts.

19. To consider and act upon legislation to provide for sickness and disability payments to unemployed persons.

20. To consider and act upon legislation to make an appropriation to school districts in distress as a result of war-created conditions.

21. To consider and act upon legislation to make permanent the temporary weekly payments provided by Section 4460 of the Labor Code.

22. To consider and act upon legislation relating to amending Section 13204.1 of the Education Code to provide for the reinstatement of employees of school districts after service with the American Red Cross.

23. To consider and act upon legislation relating to the taking over by the State of the functions and services of the United States Employment Service.

24. To consider and act upon a constitutional amendment, amending Section 14 of Article I of the State Constitution, broadening the authority of the State and other public agencies to obtain immediate possession of property being condemned for public use by the State and such agencies.

25. To consider and act upon legislation authorizing the State Compensation Insurance Fund to acquire and own real property for branch offices.

26. To consider and act upon legislation to repeal Section 38g of the Alcoholic Beverage Control Act, relating to the authority of the State Board of Equalization to regulate by rule the wholesale marketing and distribution of beer.

27. To consider and act upon legislation to amend Section 634 of the Welfare and Institutions Code, relating to the appointment and tenure of probation officers.

28. To consider and act upon legislation to amend Section 17704 of the Health and Safety Code, relating to paint stores in apartment house or hotel buildings.

29. To consider and act upon legislation authorizing the State to make payments to counties for services rendered in inspecting agencies for the care of the aged and for child care and home finding.

30. To consider and act upon legislation to repeal Chapter 771 of the Statutes of 1943, the Minors Emergency War Employment Act.

31. To consider and act upon legislation to repeal Chapter 14 of the Statutes of 1943, the War Production Act, relating to employment and working conditions of female employees essential to the war effort.

32. To consider and act upon legislation to make an additional appropriation for support of the State Personnel Board to cover the increased cost of administration caused by the termination of duration appointments.

33. To consider and act upon legislation to make an additional appropriation for the support of the Department of Justice to be expended in the protection of the title of the State of California in tide and submerged lands.

34. To consider and act upon legislation to make appropriations to the Department of Mental Hygiene to provide for additional out-patient clinics and to provide for the establishment and maintenance of a new temporary State hospital.

35. To consider and act upon legislation increasing the amount authorized to be paid by the Department of Mental Hygiene for the support of mental patients in boarding homes.

36. To consider and act upon legislation authorizing municipal utility districts to lend funds to other districts.

37. To consider and act upon legislation amending Section 9102 of the Government Code to delete provisions which fix the salaries of legislative secretaries in the legislative offices in Alameda, Los Angeles, and San Francisco counties.

38. To consider and act upon legislation to make an additional appropriation from the Fish and Game Preservation Fund for the support of the Division of Fish and Game for construction, improvements and equipment.

39. To consider and act upon legislation to repeal Chapter 873 of the Statutes of 1929 and to authorize the Governor to contract upon behalf of the State with private persons for the prosecution, collection and recovery of claims of the State against the United States for disbursements made by the State in aid of the General Government during the Civil, Spanish, Indian and other wars.

40. To consider and act upon legislation extending the present temporary authority of the Department of Public Works to perform work for or on behalf of the United States.

41. To consider and act upon legislation to establish an agency for the promotion, encouragement and regulation of aviation in California.

42. To consider and act upon legislation to make an additional appropriation for the support of the Department of Industrial Relations for the administration of mediation services under Section 65 of the Labor Code.

43. To consider and act upon an amendment to the Constitution to enable the State to stimulate and encourage the reconversion and establishment of small businesses.

44. To consider and act upon legislation to facilitate, insure and integrate research relative to the production, sale, and consumption of agricultural products of California.

45. To consider and act upon legislation to extend the time within which registration without examination shall be granted to owners or managers of clothes cleaning establishments, cleaning and dyeing shops, or spotting, sponging or pressing establishments pursuant to Section 9552 of the Business and Professions Code.

46. To consider and act upon legislation to increase the registration fees of osteopathic physicians.

47. To consider and act upon legislation to provide for the establishment of community service districts to combine within one district the authority granted to different types of districts.

48. To consider and act upon legislation to make an additional appropriation to the Division of Forestry in the Department of Natural Resources for use in reforestation.

49. To consider and act upon legislation to empower the Department of Education to act as agent for the schools of the State in acquiring surplus property from the Federal Government.

50. To consider and act upon legislation extending the effective period of Chapter 4 of Division 2 of the Agricultural Code, relating to the prevention of livestock diseases through the control of garbage and food stores from vessels and aircraft.

51. To consider and act upon legislation to amend Sections 3700 and 3701 of the Labor Code to clarify an ambiguity regarding the jurisdiction of the Director of Industrial Relations over self-insurers under the Workmen's Compensation Law.

52. To consider and act upon legislation to validate the organization, boundaries, governing officers or boards, acts, proceedings and bonds of public bodies.

53. To approve or reject charters and charter amendments of cities, counties, or cities and counties, ratified by the electors pursuant to the Constitution of the State of California.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this second day of January, 1946.

(Signed)

EARL WARREN, Governor of California

[SEAL]

ATTEST: FRANK M. JORDAN, Secretary of State
By CHAS. J. HAGERTY, Deputy Secretary of State

RESOLUTIONS

The following resolutions were offered:

By Senator Slater:

Senate Resolution No. 1

Resolved, That the Senate do now organize and proceed to elect officers and employees for this Fifty-sixth (First Extraordinary) Session.

Resolution read, and adopted.

By Senator Rich:

Senate Resolution No. 2

Resolved, That Senator Jerrold L. Seawell be and he is hereby elected President pro tempore of the Senate; that Joseph A. Beek be and he is hereby elected Secretary of the Senate; that Joseph F. Nolan be and he is hereby elected Sergeant-at-Arms of the Senate; that John F. Lea be and he is hereby elected Minute Clerk of the Senate; that Rev. Dr. Clarence A. Kircher be and he is hereby elected Chaplain of the Senate.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Judah, Keating, Kuchel, Mayo, McCormack, Mixter, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—33.

NOES—None.

OATHS OF OFFICE ADMINISTERED

The newly elected officers of the Senate, Senator Jerrold L. Seawell, President pro tempore; Joseph A. Beek, Secretary of the Senate; Joseph F. Nolan, Sergeant-at-Arms; John F. Lea, Minute Clerk; and Rev. Dr. Clarence A. Kircher, Chaplain; took and subscribed to the following oath administered by the Honorable Paul Peek, Associate Justice, Third District Court of Appeal of the State of California:

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of California, and discharge the duties of the office to which I have been elected to the best of my ability.

RESOLUTIONS

The following resolutions were offered:

By Senator Seawell:

Senate Resolution No. 3

Resolved, That the following Rules be and the same are hereby adopted as the Standing Rules of the Senate at its Fifty-sixth (First Extraordinary) Session:

STANDING RULES OF THE SENATE

Convening and Sessions

Hour of Meeting

1. The Senate shall meet at 11 a.m., daily, except Sundays, unless otherwise ordered by the Senate.

Calling to Order

2. The President, President pro tempore, or senior member present shall call the Senate to order at the hour stated, and if a quorum be present shall proceed with the order of business.

Attendance of Members

3. No Senator shall absent himself from attendance upon the Senate without leave first obtained. A less number than a quorum of the Senate

is hereby authorized to send the Sergeant-at-Arms, or any other person, for any and all absent Senators at the expense of such absent Senators, respectively, unless such excuse for nonattendance as shall be made to the Senate when a quorum is convened, shall be judged sufficient, and in that case the expense shall be paid out of the Contingent Fund of the Senate. The President or Acting President of the Senate, or less than a quorum present, shall have the power to issue process directly to the Sergeant-at-Arms, or to any other person, to compel the attendance of Senators absent without leave. Any Senator who shall refuse to obey such process unless sick or unable to attend, shall be deemed guilty of contempt of the Senate, and the Sergeant-at-Arms, or any other person, to whom such process may be directed, shall have power to use such force as may be necessary to compel the attendance of such absent Senator, and for this purpose he may command the force of the county, or of any county in the State.

Order of Business

4. The order of business shall be as follows:

1. Roll Call
2. Prayer by the Chaplain
3. Leaves of Absence
4. Privileges of the Floor
5. Communications and Petitions
6. Messages from the Governor
7. Messages from the Assembly
8. Reports of Committees
9. Motions, Resolutions and Notices
10. Introduction and First Reading of Bills
11. Special Orders
12. Unfinished Business
13. Consideration of Daily File
14. Announcement of Committee Meetings
15. Adjournment

Executive Sessions

5. When a motion is adopted to close the doors of the Senate, on the discussion of any business which may, in the opinion of the Senate, require an executive session, the President shall require all persons, except the Senators, President of the Senate, Secretary, Minute Clerk, and Sergeant-at-Arms, to withdraw, and during the discussion of said business the doors shall remain closed. Every Senator and officer present shall keep secret all matters and proceedings concerning which secrecy shall be enjoined by order of the Senate.

Officers of the Senate

The President

6. The Lieutenant Governor shall be the President of the Senate. He shall have a casting vote when the vote is equally divided and his vote will decide the issue.

The President shall maintain order in the Senate Chamber and in case of a disturbance or disorderly conduct in the lobbies, the President (or Chairman of the Committee of the Whole) shall have the power to order the same cleared.

The President Pro Tempore

7. The President pro tempore shall, in the absence of the President, take the chair and call the Senate to order, at the hour of the meetings of the Senate, and shall have the same powers as the President.

It shall be the particular responsibility of the President pro tempore to secure the prompt and businesslike disposition of bills and other business before the Senate.

The Vice Chairman of the Committee on Rules shall, in the absence of the President pro tempore, perform the duties, and have all powers and authority of the President pro tempore.

Presiding by Senators

8. The President pro tempore of the Senate may name any Senator to perform the duties of the Chair in the absence of the President. The Senator so named shall be vested, during such time, with all the powers of the President.

Secretary of the Senate

9. It shall be the duty of the Secretary of the Senate to attend every session, call the roll, read all bills, amendments, resolutions, and all papers ordered read by the Senate or the presiding officer.

He shall superintend all printing and clerical work to be done for the Senate and shall have supervision over all attaches and employees of the Senate. He shall assign, reassign or transfer all attaches or employees to their respective duties.

He shall certify to and transmit to the Assembly all bills, joint and concurrent resolutions, constitutional amendments and papers requiring the concurrence of the Assembly, immediately after their passage or adoption by the Senate.

He shall also keep a correct Journal of the proceedings of the Senate, and shall notify the Assembly of the action by the Senate on all matters originating in the Assembly, and requiring action on the part of the Senate.

The Secretary of the Senate shall have custody of all bills, documents, papers and records of the Senate and shall not permit any such bills, records or papers to be taken from the desk or out of his custody by any person, except in the regular course of the business of the Senate.

All employees on the pay roll of the Senate are employees of the Senate and not of individual members and they are under the direct control of the Secretary of the Senate. Any insubordination or inefficiency on the part of any employee shall be reported by the Secretary to the Committee on Rules or if a Committee on Attaches be appointed, then to that committee.

Sergeant-at-Arms of the Senate

10. The Sergeant-at-Arms shall attend the Senate during all of its sittings, execute the commands of the Senate from time to time, together with all such process issued by authority thereof, as shall be directed to him by the President. The Sergeant-at-Arms is authorized to arrest for contempt all persons outside the bar, or in the gallery, found in loud conversation, or otherwise making a noise to the disturbance of the Senate. The actual expenses of the Sergeant-at-Arms for every arrest, for each day's custody and releasement, and the traveling expenses for himself and

special messenger going and returning shall be paid out of the Contingent Fund, and no other fees shall be paid him beyond his per diem. It shall also be the duty of the Sergeant-at-Arms to keep the accounts for pay and mileage of Senators.

The Sergeant-at-Arms shall place copies of all bills, joint and concurrent resolutions, constitutional amendments, Journals, Histories and Files, when printed, on the desks of Senators, at least one hour previous to the opening of session.

Committees of the Senate

Appointment of Committees

11. The Committee on Rules shall consist of the President pro tempore of the Senate, who shall be the chairman of the committee, and four other members of the Senate to be elected by the Senate.

The Committee on Rules shall appoint all other committees of the Senate unless otherwise directed by the Senate and shall designate a chairman of each committee so appointed and a vice chairman of each standing committee.

The Senate Committee on Finance shall consist of four Senate Members of the Legislative Budget Committee and seven additional Members of the Senate appointed by the Committee on Rules.

Ten days before the commencement of any regular session of the Legislature, the Secretary of the Senate shall mail to each member a blank, in a form approved by the Rules Committee, on which the member may indicate his committee preferences and with such blank shall be mailed a stamped envelope addressed to the Rules Committee, care of the Secretary, for the convenience of the member in returning such form with his preferences thereon. All such communications shall be retained by the Secretary unopened and shall be delivered to the Rules Committee immediately upon the organization of the Senate.

Standing Committees

12. The standing committees of the Senate, the number of members, and subjects to be referred to each are as follows:

1. Agriculture, 11 members. All bills amending the Agricultural Code and uncodified legislation relating to the same subject.

2. Business and Professions, 9 members. All bills amending the Business and Professions Code and uncodified legislation relating to the same subjects.

3. Education, 9 members. All bills amending the Education Code or relating to the University of California and any uncodified legislation relating to either.

4. Elections, 9 members. All bills amending the Elections Code or uncodified legislation relating to the same subject and constitutional amendments, after consideration by committees having jurisdiction of the appropriate subjects, for consideration of any question relating to submission to the voters.

5. Finance, 11 members. All appropriation bills including the Budget Bill and claim bills but excepting appropriations from the funds of the Senate made by resolution.

6. Financial Institutions, 9 members. All bills amending the Insurance Code and bills amending the Bank Act, Building and

Loan Act, Corporate Securities Act and acts relating to the loan of money and credit unions, and any other legislation relating to these subjects.

7. Fish and Game, 11 members. All bills amending the Fish and Game Code, and uncodified legislation relating to the same subject.

8. Governmental Efficiency, 11 members. All legislation not specifically referred to another committee relating to:

a. State policy
b. New State functions
c. State property
d. Reorganization
e. State employees

9. Institutions, 9 members. All bills relating to the State Department of Institutions, or to institutions under its jurisdiction including:

a. State Hospitals
b. Home for the Feeble-minded
c. Inebriate Colonies
d. Institutions for Delinquents
e. Home for the Blind
f. Industrial Workshops
g. Any other institutions of a similar nature;

and all bills relating to the Youth Authority and to institutions under its jurisdiction.

10. Judiciary, 12 members. All bills amending the following codes:

a. Civil Code
b. Code of Civil Procedure
c. Probate Code
d. Penal Code, and
e. All statutes of a penal nature not related closely to a subject embraced in some other code.

11. Labor, 7 members. All bills amending the Labor Code and uncodified legislation relating to the same subject.

12. Local Government, 9 members. All bills relating to

a. County government
b. Municipal corporations
c. Special assessment and other local districts when not regulated by the provisions of some other code and uncodified legislation on the above subjects.

13. Military and Veterans Affairs, 9 members. All bills amending the Military and Veterans Code and uncodified legislation relating to the same subjects.

14. Natural Resources, 9 members. All bills amending the Public Resources Code and uncodified legislation relating to mines and mining, oil, forestry, parks, and to the public domain.

15. Public Health and Safety, 9 members. All bills amending the Health and Safety Code and uncodified legislation relating to the same subjects.

16. Public Utilities, 9 members. All legislation relating to public utilities and their regulation and not embraced within any other code.

17. Revenue and Taxation, 11 members. All bills amending the Revenue and Taxation Code and other uncodified legislation relating to State and county taxes.

18. Rules, 5 members. All proposed amendments to the Rules, and all resolutions relating to the business of the Senate which are not acted upon without reference to committee.

19. Social Welfare, 11 members. All bills relating to the Department of Social Welfare, or to aid to the aged, to the blind, to children, to the unemployed, to the indigent and to other public assistance.

20. Transportation, 11 members. All bills amending the
   a. Vehicle Code
   b. Streets and Highways Code
   c. Harbors and Navigation Code, and
   d. Uncodified legislation relating to the same subjects or to aviation.

21. Water Resources, 9 members. All bills amending the Water Code and uncodified legislation relating to the same subject.

The standing committees of any regular session shall be the standing committees of succeeding special or extraordinary sessions unless otherwise ordered by the Senate.

Committee on Rules

13. The Committee on Rules is charged with the general responsibility for the administrative functioning of the Senate. The committee shall also have the duty of making recommendations designed to promote, improve and expedite the business and procedure of the Senate, and of proposing any amendments to the Rules deemed necessary to accomplish such purposes.

The Committee on Rules shall continue in existence during any recess of the Legislature and after final adjournment thereof and until the convening of the next regular session and shall have the same powers and duties as while the Senate is in session. In addition to any other authority vested in the committee it shall have authority to fill vacancies in any Senate committee or in the Senate Membership of any Joint Committee. In dealing with any matter within its jurisdiction the committee and its members shall have all authority granted to Investigating Committees by the Joint Rules, and particularly by Joint Rule No. 36 as they now exist or may hereafter be amended. The committee may make available to any Senate or Joint Committee or Member of the Senate such assistance in connection with the duties of the committee or other legislative matters as the personnel under the direction of the committee or its other facilities permit.

The Committee on Rules will constitute the Committee on Introduction of Bills and shall have charge of engrossment and enrollment of bills, contingent expenses of the Senate and legislative printing except insofar as these functions are delegated to the Secretary of the Senate, and of attaches unless a Committee on Attaches is appointed.

The rooms, passages and buildings set apart for the use of the Senate shall be under the direction of the Committee on Rules and the com-

mittee may assign the press desks in the Senate Chamber to accredited newspaper representatives.

Executive communication of nominations sent by the Governor to the Senate for their confirmation, shall be referred to the Committee on Rules, unless otherwise ordered by the Senate, without debate.

Schedule of Committee Meetings

14. The Committee on Rules shall propose to the Senate such schedules for regular meetings of the standing committees as will permit a full attendance of their members without conflict of committee engagements.

The committee may also propose such special committee meetings or special schedules of committee meetings as will facilitate the business of the Senate. Such schedules may provide a special schedule of committee meetings or upon certain days of the week or to meet any special condition which may arise.

Quorum of Standing Committees—Vote

15. Each standing committee shall determine (a) its own quorum, and (b) the number of votes necessary to take any action upon any bill, resolution, or other matter referred to it.

The vote by the number of ayes and noes on each bill reported back on all committee reports shall be noted in such reports and recorded in the Journal.

Powers of Standing Committees

16. Each standing committee of the Senate to which a proposed law or bill is assigned shall have full power and authority during the session of the Legislature or any recess thereof, to make such investigation and study of and concerning any such proposed law or bill as such committee shall determine necessary to enable it to properly act thereon.

In the exercise of the power granted by this Rule, each committee may appoint a secretary and adopt such rules as may appear necessary and proper to carry out the powers granted and duties imposed under this Rule. It may employ such clerical, legal and technical assistants as may appear necessary when money has been made available therefor by the Senate.

Each standing committee is authorized and empowered to summon and subpena witnesses, require the production of papers, books, accounts, reports, documents, records and papers of every kind and description, to issue subpena and to take all necessary means to compel the attendance of witnesses and to procure testimony, oral and documentary.

The members of such committees are, and each of them is, authorized and empowered to administer oaths, and all of the provisions of Article 8, Chapter 2, Title 1, Part 3 of the Political Code, relating to the attendance and examination of witnesses before the Legislature and the committees thereof, shall apply to such committees.

The Sergeant-at-Arms of the Senate, or other person designated by the Sergeant-at-Arms or by the committee, shall serve any and all subpenas, orders and other process that may be issued by the committee, when directed to do so upon a vote of the majority of the membership of the committee.

All officers of this State, including the Legislative Counsel and the heads of each department, agency and subdivision thereof, and all

employees of such departments, agencies and subdivisions, and all other persons whether connected with the State Government or not, shall give and furnish to these committees upon request such information, records and documents as the committees deem necessary or proper for the achievement of the purposes for which each standing committee was created.

Each standing committee may meet at the State Capitol and do any and all things necessary or convenient to enable it to exercise the powers and perform the duties herein granted to it and may expend such money as may be made available by the Senate for such purpose; but no committee shall incur any indebtedness unless money shall have been first made available therefor.

Special Investigating Committees

17. No committee for the investigation of any special subject shall be appointed except pursuant to a resolution which shall be entered in the Journal and referred to the Committee on Rules, and which shall be approved by a vote of a majority of the members elected to the Senate. The subject and purpose of the investigations shall be expressed in the title of the resolution and the scope of the investigations shall be consistent with the subject and purposes so expressed. No such committee shall have authority to extend its investigations to subjects not so expressed, nor beyond the scope indicated in the resolution. Unless otherwise directed by the resolution any committee so authorized shall be appointed within 20 days after the adoption of the resolution.

No Committee Expenditures Permitted

18. No member of any committee shall be permitted to incur any expense chargeable to the Senate unless authorized by resolution of the Senate.

Procedure and Rules

Joint and Concurrent Resolutions and Constitutional Amendments

19. Joint and concurrent resolutions and constitutional amendments shall be treated the same as bills; except, that they shall have but one official reading, which reading shall occur after they have been reported by committee.

Parliamentary Rules

20. In all cases not provided for by the Constitution, these Rules, or by the Joint Rules of Senate and Assembly the authority shall be Mason's Manual.

Suspension or Amendment of Rules

21. No standing rule of the Senate may be repealed or amended except upon an affirmative vote of a majority of the members of the Senate, one day's notice being given, but any rule not requiring more than a majority vote may be temporarily suspended by a vote of a majority of the members of the Senate. A rule requiring a two-thirds vote on any question may be amended only by a two-thirds vote on one day's notice, and a rule requiring a two-thirds vote may be temporarily suspended only by a two-thirds vote.

All proposed amendments to these rules shall, upon presentation, be referred to the Committee on Rules without debate.

Introduction and Reference of Bills

Introduction, First Reading, and Reference of Bills

22. Any Senator desiring to introduce a bill shall send it to the Senate desk.

The Committee on Rules shall check all Senate bills prior to introduction and all Assembly bills before reference to committee and shall designate the committees to which they shall be referred. The provisions of Rule 12, referring to the assignment of bills are intended as a guide to the committee but are not binding upon the committee.

Under the order of Introduction of Bills, the Secretary shall assign a number to each Senate bill, shall read it the first time, shall read the name of the committee to which the bill has been assigned by the Committee on Rules, and unless otherwise ordered by the Senate without debate the assignment of the bill shall then be complete and after printing the Secretary shall deliver the bills to the committee so designated.

Under the order of Messages from the Assembly the Secretary shall read each Assembly bill the first time, shall read the name of the committee to which the bill has been assigned by the Committee on Rules, and unless otherwise ordered by the Senate without debate the assignment of the bill shall then be complete and the Secretary shall deliver the bill to the committee so designated.

Introduction of Bills by a Committee

23. Any committee may introduce a bill germane to any subject within the proper consideration of such committee in the same manner as any member.

Introduction of Bills at Special Sessions

24. Whenever at any special session a bill is received at the desk, under the order of Introduction of Bills, it shall be referred to the Committee on Rules which shall decide whether or not such bill can properly be considered at the session. If in the judgment of the Committee on Rules such bill can be considered it shall report it back and designate the committee to which it shall be assigned. Thereafter it shall be assigned a number by the Secretary, be read first time, and referred to the committee recommended by the Committee on Rules unless otherwise referred on motion without debate.

Senate Resolutions

25. All Senate resolutions upon being presented shall be given a number by the Secretary. Such resolutions shall be printed in the Journal and indexed in the History and Journal.

Bills in Committee

Committee Hearings

26. During the constitutional recess or as soon thereafter as practicable the chairman of each committee shall prepare a schedule of hearings concerning bills referred to the committee. The schedule shall be arranged according to subjects insofar as may be convenient.

The schedules and any changes therein shall be delivered to the Senate as soon as convenient in order that due notice may be given to persons interested in the legislation.

Substitute Committee Bills

27. A committee may amend into one bill related provisions germane to the subject and embraced within the title; and with the consent of the author the committee may constitute such bill a committee bill by striking out of the heading of the bill the line "Introduced by" and the name of the author and substituting therefor "Substitute committee bill of the Committee on" and the name of the committee.

Recalling a Bill From Committee

28. The Senate may at any time by 21 votes recall a bill from committee.

Consideration of Bills

Order of Making Files

29. When bills are reported from committee they shall be placed upon the General File, to be kept by the Secretary as follows: All bills when reported to the Senate by the committee shall be placed at the foot of the second reading Senate or Assembly file, in the order in which the reports are made, and after the second reading they shall be placed at the foot of the Senate or Assembly third reading file, in the order of reading. Unless otherwise ordered by the Senate the File shall be taken up in the following order: Senate second reading file, Assembly second reading file and Senate third reading file, Assembly third reading file. The bills upon third reading shall be considered in the order in which they appear upon the File, unless otherwise ordered by the Senate.

An inactive file shall be kept to which bills may be transferred at the request of the author, or on motion, and they shall be so transferred when they have been passed on third reading file without action three successive times. Bills may be carried on the inactive file by author and bill number without setting forth the title.

Bills may be transferred from the inactive file to the second reading file on motion, and after being read the second time such bills will take their place regularly on third reading file and be available for consideration and passage.

Notices of committee hearings shall be published in the File whenever presented by chairmen of committees to the Secretary for that purpose. For such purpose bills will be identified by subject or by number.

Special Order

30. Any measure or subject may, by vote of a majority of those voting, be made a special order, and when the time fixed for its consideration arrives, the presiding officer shall lay it before the Senate.

Messages From the Governor or Assembly

31. Messages from the Governor or from the Assembly may be introduced at any stage of business except while a question is being put, while the ayes and noes are being called, or while a Senator is addressing the Senate.

Messages from the Governor or from the Assembly may be considered when indicated in the order of business or at any other time by unanimous consent or upon motion.

Engrossing Bills

32. All Senate bills, constitutional amendments and joint or concurrent resolutions shall be engrossed before final action is taken on them in the Senate. Engrossment shall consist of comparing the printed engrossed bill with the original bill introduced and any amendments adopted to ascertain that it is correct. When a bill is reported correctly engrossed it shall be substituted on the File for the original bill.

Enrolling Bills

33. All Senate bills shall be enrolled immediately following their final passage and receipt from the Assembly. An enrolled copy of every such bill, amendment or resolution shall be printed and examined to ascertain that it is a true and accurate copy of the measure as it was passed. It shall then be authenticated by the signatures of the President or President pro tempore of the Senate and the Secretary or an Assistant Secretary of the Senate and by the corresponding officers of the Assembly and transmitted without delay to the Governor.

Debate

Statement of Motion

34. No motion shall be debated until the same be distinctly announced by the President; and it shall be reduced to writing if desired by the President or any Senator, and read by the Secretary, before the same shall be debated.

Regulations as to Speaking

35. 1. When a Senator desires to address the Senate, he shall rise in his place, address the President, and when recognized he may proceed to speak.

2. No Senator shall speak more than twice in any one debate on the same day, and at the same stage of the bill, without leave; and Senators who have once spoken shall not again be entitled to the floor (except for explanation) so long as any Senator who has not spoken desires to speak.

3. When two or more Senators arise at the same time to address the Senate, the presiding officer shall designate the Senator who is entitled to the floor.

4. No Senator shall be interrupted when speaking, and no question shall be asked him except through the presiding officer.

5. The author of a bill, motion, or resolution shall have the privilege of closing the debate.

Order in Debate

36. When a Senator shall be called to order he shall sit down until the President shall have determined whether he is in order or not; and every question of order shall be decided by the President, subject to an appeal to the Senate by any Senator. If a Senator be called to order for words spoken, the objectionable language shall immediately be taken down in writing by the Secretary of the Senate.

Right to Address the Senate

37. No person other than a member of the Senate or the President thereof, shall address the Senate while it is in session but the Senate may

resolve itself into a Committee of the Whole and while sitting as such committee may be addressed by persons other than members.

Questions and Motions

Amendments to Bills

38. When amendments to a bill are reported by a committee or offered from the floor, such amendments shall be submitted in triplicate.

Adoption of amendments to any bill in the Senate prior to third reading, other than by roll call, shall not preclude subsequent consideration in committee or on the third reading of the bill, of such amendments or any part thereof, by the Senate.

Motion to Lay on the Table

39. When an amendment proposed to any pending measure shall be laid on the table, it shall not carry with it or prejudice such measure.

Division of a Question

40. If a question in debate contains more than one distinct proposition, any Senator may have the same divided.

The Previous Question

41. The previous question shall be put in the following form: "Shall the question be now put?" It shall require a majority vote of the Senators present; and its effect shall be to put an end to all debate except that the author of the bill or the amendment shall have the right to close, and the question under discussion shall thereupon be immediately put to a vote.

Call of the Senate

42. Upon a motion being carried for a call of the Senate, the President shall immediately order the doors to be closed, and shall direct the Secretary to call the names of the absentees as disclosed by the last previous roll call. Thereupon, no member shall be permitted to leave the Senate Chamber except by written permission of the President pro tempore or in his absence of the presiding officer. Those members who are found to be absent and for whom no excuse or insufficient excuses are made, may, by order of those present, be taken into custody, as they appear, or may be sent for and then taken into custody by the Sergeant-at-Arms wherever found, or by special messenger to be appointed for that purpose. In the absence of a quorum, a majority of the members present may order a roll call of the Senate and compel the attendance of absentees in the manner above provided.

A call of the Senate may be ordered after the roll has been called and prior to the announcement of the vote.

No recess can be taken during a call of the Senate. During a call, the Senate may consider and transact any matter or business that the Senators then present shall unanimously decide to consider, but no call of the Senate shall be had during a call of the Senate. When a call of the Senate is ordered, pending the announcement of the vote upon the completion of a roll call, the pending roll call shall become unfinished business, the consideration of which shall be continued until further proceedings under the call of the Senate are dispensed with, when it will forthwith become the order of business before the Senate.

Reconsideration

43. On the day on which a vote has been taken on any question a motion to reconsider the vote may be made by any member.

The motion may be considered on the day made or on the succeeding legislative day but may not be further postponed without the concurrence of 27 members.

No vote on a Senate bill may be reconsidered on or after the last day fixed for the consideration of Senate bills prior to adjournment and no vote may be reconsidered on the last day of the session.

When reconsideration of the vote by which any bill was passed has been demanded the Secretary shall not transmit it to the Assembly until the demand has been disposed of or the time for reconsideration has expired, but if the bill has already been transmitted to the Assembly the demand for reconsideration shall be preceded by a motion to request the Assembly to return the bill. This motion shall be put to a vote immediately without debate and if not adopted shall preclude a demand for reconsideration.

A demand to reconsider the vote on any debatable question opens the main question to debate and the vote on the reconsideration shall be on the merits of such main question.

Voting by Senate

Voting on Roll Call

44. Whenever a roll call is required by the Constitution or Rules, or is ordered by the Senate or demanded by three members, every member within the Senate shall without debate answer "Aye" or "No" when his name is called.

The names of members shall be called alphabetically.

No Senator shall be permitted to vote or change his vote after the announcement of the vote by the presiding officer.

Excused From Voting

45. When a Senator declines or fails to vote on call of his name he may, after completion of the roll call, and before the announcement of the vote be required to assign his reasons therefor, and having assigned them, the presiding officer shall submit the question to the Senate: "Shall the Senator, for the reasons assigned by him, be excused from voting?" which question shall be decided without debate. Unless the Senator is excused from voting he shall be required to vote.

Voting by Presiding Senator

46. When the President pro tempore or any other member of the Senate is presiding over the Senate he shall vote on roll call the same as though he were not presiding.

Vote Required

47. Unless otherwise required by the Constitution, the Joint Rules of the Senate and Assembly or by these Rules, any action which can be taken by the Senate requires only a majority vote of the Senate, a quorum being present.

The following actions require 30 votes:

1. To introduce bills after the constitutional recess—(Constitution, Art. IV, Sec. 2).

The following actions require 27 votes:

2. To pass urgency measures—(Constitution, Art. IV, Sec. 1).

3. To suspend constitutional provision requiring reading bills on three several days—(Constitution, Art. IV, Sec. 15).

4. To pass bills over the Governor's veto—(Constitution, Art. IV, Sec. 16).

5. To increase or diminish the number of superior court judges or to remove judges—(Constitution, Art. VI, Secs. 9, 10).

6. To propose constitutional amendments or revision of the Constitution—(Constitution, Art. XVIII, Secs. 1, 2).

7. To change rate of taxation for State purposes—(Constitution, Art. XIII, Secs. 14, 16).

8. To authorize deposit of public money in banks—(Constitution, Art. XI, Sec. 16½).

9. To remove Railroad Commissioners—(Constitution, Art. XII, Sec. 22).

10. To change rates or conditions under the State Employees Retirement System—(Constitution, Art. IV, Sec. 22a).

11. To propose change in location of State capital—(Constitution, Art. XX, Sec. 1).

12. To reconsider the vote by which a concurrent resolution proposing a constitutional amendment is defeated.

13. To suspend the Rule against lobbying in the Senate Chamber.

14. To concur in Assembly amendments to or to adopt a report of a Committee on Conference concerning constitutional amendments or bills which require 27 votes for passage.

The following actions require 21 votes:

15. To amend or suspend the Rules.

16. To pass bills, unless under some other Rule a larger vote is required—(Constitution, Art. IV, Sec. 15).

17. To adopt a concurrent resolution approving a county or city charter or amendment thereto—(Constitution, Art. XI, Secs. 7½ and 8).

18. To adopt joint and concurrent resolutions.

19. To reconsider bills, joint and concurrent resolutions.

20. To confirm appointments by the Governor or to reconsider the same.

21. To recall a bill from committee.

22. To concur in Assembly amendments to or to adopt a report of a Committee on Conference concerning concurrent or joint resolutions or bills which require 21 votes for passage.

Actions requiring 14 votes:

23. To reconsider a vote by which a concurrent resolution proposing a constitutional amendment was adopted.

Vote Required for Amendments

48. A constitutional amendment or bill requiring a vote of two-thirds of the members elected to the Senate for final adoption or passage may be amended by a majority of those voting.

Contents of Senate Journal

Proceedings to Be Printed

49. The proceedings of the Senate, when not acting as a Committee of the Whole, shall be entered in the Journal as concisely as possible, care being taken to record a true and accurate account of the proceedings.

The Journal shall state the name of the Senator presenting each Assembly bill, concurrent or joint resolution or constitutional amendment to the Senate for final action.

Every vote of the Senate shall be recorded in the Journal. The committee vote on each bill reported back by a committee, and if a bill is signed out that fact also shall be recorded in the Journal.

Titles of Bills to Be Printed

50. The titles of all bills, joint and concurrent resolutions, and constitutional amendments when introduced and when acted upon by the Senate, and a brief statement of the contents of each petition, memorial or paper presented to the Senate shall be printed in the Journal.

Other Matter to Be Printed

51. Messages from the Governor (other than biennial messages and inaugural addresses) shall be printed in the Journal, unless otherwise ordered by the Senate.

Legislative Printing

Duty of Secretary to Order Printing

52. It shall be the duty of the Secretary of the Senate and he is hereby directed during and between sessions of the Legislature to order for the Senate the necessary printing including stationery, and to audit and approve all bills for printing to be charged to the Senate. The Secretary shall order from the State Printer such number of copies of bills, Journals, Histories, Files, forms and other printing as shall be necessary.

It shall further be the duty of the Secretary to order bills and other legislative publications for which there is a demand printed before the supply of same shall become exhausted.

Printing Only on Written Orders; Rush Orders

53. The State Printer shall not charge any printing or other work to the Senate except as required by law unless he has a written order from the Secretary of the Senate prior to the beginning of the printing or other work. All printing ordered by the Secretary shall be delivered as directed by him. The Secretary may, when necessity requires it, order from the State Printer such printing as he deems necessary to be printed in advance of the regular order of business, under specially prepared written order, to be known as a "Rush Order."

Form of Printing Amendments

54. When any bill of either house is amended it shall be immediately reprinted; new matter shall be printed in italics in the printed bill; and matter to be omitted shall be printed in type bearing a single horizontal line through the center and commonly known as "strikeout" type. When a bill is enrolled, all such italics and "strikeout" type shall be omitted and the bill shall be printed in the usual Roman type.

The Senate Chamber

Admission Within Bar to Senate

55. It shall be the duty of the Sergeant-at-Arms to prevent all persons except Senators, ex-Senators, members of the Assembly, State officers, officers of the two houses, and such accredited newspaper representatives as have seats assigned to them from coming within the bar of the Senate unless upon the invitation of the President or a Senator. No visitor shall be allowed upon the floor while the Senate is in Session.

Regulations for Lobbyists

56. All persons appearing, or being, or desiring to appear, or be, at or in the Senate Chamber, or at or in any committee room of the Senate for the purpose of advocating the adoption, or defeat of any bill, measure or resolution, introduced in, pending before, or being considered by the Senate, or by any committee thereof, or for the purpose of soliciting the vote of any member of the Senate upon any such bill, measure, or resolution, or upon any anticipated or proposed bill, measure, or resolution, shall register with the Sergeant-at-Arms, his name and address, together with a statement of the person or persons, corporation or corporations, or interest represented by or intended to be represented by him, and shall file with the Sergeant-at-Arms his written authority to represent such person, corporation or interest, and thereupon the Sergeant-at-Arms shall issue to such person a certificate that he has so registered in conformity with this Rule, which certificate shall be exhibited to the chairman of a committee upon request. A complete record of all persons so registered, together with their respective addresses, and the persons, corporations or interest represented by them, shall be kept, and preserved by the Sergeant-at-Arms, and shall be open at all times to public inspection.

No person shall appear at or enter the Senate Chamber, or any committee room of the Senate, for the purpose of advocating the adoption or defeat of any bill, measure, or resolution, without first having registered and secured the certificate as herein provided.

This Rule shall not apply to members of either house of the Legislature, officers of the State or other public agencies, or citizens of the State of California appearing in their own interest or behalf who are not representing any group, organization or corporation.

No person engaged in presenting to the Senate or any of its committees any business, claim, or legislation, shall be permitted to engage in such business in the Senate Chamber or be permitted on the floor of the Senate at any time while the Senate is in session. Any person transgressing this Rule shall be removed from the floor of the Senate and shall be debarred from the privilege of the floor during the remainder of the entire session. The President and the President pro tempore are charged with the enforcement of this Rule, and this Rule can not be suspended except by a two-thirds vote of the entire Senate.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Keating, Kuchel, Mayo, McBride, McCormack, Mixter, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, and Ward—32.

NOES—None.

By Senator Deuel:

Senate Resolution No. 4

Resolved, That the Secretary of the Senate is hereby directed to notify the Assembly that the Senate elected the following statutory officers:

President pro tempore—Jerrold L. Seawell
Secretary of the Senate—Joseph A. Beek
Sergeant-at-Arms—Joseph F. Nolan
Minute Clerk—John F. Lea
Chaplain—Rev. Dr. Clarence A. Kircher

Resolution read, and adopted.

By Senator Breed:

Senate Resolution No. 5

Resolved, That the President of the Senate appoint a Special Committee of Three Senators to notify the Governor that the Senate is now duly organized and is ready to receive any communications he may have to make.

Resolution read, and adopted.

Appointment of Special Committee

The President announced, in accordance with the above resolution, the appointment of Senators Breed, Rich, and Tenney.

By Senator Salsman:

Senate Resolution No. 6

Resolved, That the President of the Senate appoint a Special Committee of Three Senators to notify the Assembly that the Senate is now duly organized and is ready to receive any communication it may have to make.

Resolution read, and adopted.

Appointment of Special Committee

The President announced, in accordance with the above resolution, the appointment of Senators Salsman, Swing, and McCormack.

By the Committee on Rules:

Senate Resolution No. 7

Resolved, That the State Controller be and he is hereby directed and ordered to draw his warrants upon the proper funds in favor of the following named Senators and officers of the Senate for the amount set opposite each of their names, and the State Treasurer is hereby directed and ordered to pay the same, being the mileage due them by law:

Senators	County	Mileage	Total at 5 cents per mile
Biggar, George M.	Mendocino	480	$24 00
Breed, Arthur H., Jr.	Alameda	180	9 00
Brown, Charles	Inyo	1,292	64 60
Burns, Hugh M.	Fresno	338	16 90
Carter, Oliver J.	Shasta	330	16 50
Collier, Randolph	Siskiyou	590	29 50
Crittenden, Bradford S.	San Joaquin	94	4 70
Cunningham, R. R.	Kings	428	21 40
DeLap, T. H.	Contra Costa	164	8 20
Desmond, Earl D.	Sacramento	2	10
Deuel, Charles H.	Butte	202	10 10
Dillinger, H. E.	El Dorado	100	5 00
Dilworth, Nelson S.	Riverside	1,092	54 60
Donnelly, Hugh P.	Stanislaus	182	9 10
Dorsey, Jesse R.	Kern	550	27 50
Fletcher, Ed	San Diego	1,146	57 30
Gordon, Frank L.	Napa	94	4 70
Hatfield, George J.	Merced	236	11 80
Hulse, Ben	Imperial	1,206	60 30
Jespersen, Chris N.	San Luis Obispo	666	33 30
Judah, H. R.	Santa Cruz	336	16 80
Keating, Thomas F.	Marin	210	10 50
Kuchel, Thomas H.	Orange	976	48 80
Mayo, Jesse M.	Calaveras	170	8 50

Senators	County	Mileage	Total at 5 cents per mile
McBride, James J.	Ventura	980	49 00
McCormack, Thomas	Solano	124	6 20
Mixter, Frank W.	Tulare	444	22 20
Parkman, Harry L.	San Mateo	222	11 10
Powers, Harold J.	Modoc	832	41 60
Quinn, Irwin T.	Humboldt	624	31 20
Rich, Wm. P.	Yuba	106	5 30
Salsman, Byrl R.	Santa Clara	292	14 60
Seawell, Jerrold L.	Placer	38	1 90
Shelley, John F.	San Francisco	180	9 00
Slater, Herbert W.	Sonoma	204	10 20
Sutton, L. G.	Colusa	150	7 50
Swing, Ralph E.	San Bernardino	1,016	50 80
Tenney, Jack B.	Los Angeles	894	44 70
Ward, Clarence C.	Santa Barbara	920	46 00
Weybret, Fred	Monterey	484	24 20

Officers	County	Mileage	Total at 10 cents per mile
J. A. Beek, Secretary	Orange	990	$99 00
John F. Lea, Minute Clerk	Sacramento	2	20
Joseph F. Nolan, Sergeant at Arms	Los Angeles	894	89 40

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Brown, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McBride, McCormack, Mixter, Powers, Quinn, Salsman, Seawell, Shelley, Slater, Sutton, Ward, and Weybret—32.

NOES—None.

MESSAGES FROM THE ASSEMBLY

At 11:30 a.m., a committee from the Assembly, consisting of Messrs. Field, Robertson, and Clarke, appeared at the bar of the Senate, and announced that the Assembly was duly organized, and ready to proceed with the business of the State.

RESOLUTIONS

The following resolutions were offered:

By Senator Hatfield:

Senate Resolution No. 8

Resolved, That the Sergeant-at-Arms be and he is hereby authorized and directed to receipt to the Controller for warrants for members and officers of the Senate.

Resolution read, and adopted.

By Senator Powers:

Senate Resolution No. 9

Resolved, That the schedule of salaries of statutory officers of the Senate for this Fifty-sixth (First Extraordinary) Session of the Legislature be the same as that adopted for the Fifty-sixth Session of the Legislature set forth in Senate Resolution No. 13 appearing on page 34 of the Senate Journal of January 9, 1945.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Brown, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McBride, Mixter, Powers, Quinn, Seawell, Shelley, Slater, Sutton, Tenney, Ward, and Weybret—30.

NOES—None.

REPORTS OF SPECIAL COMMITTEES

The following reports of Special Committees were received:

Senators Breed, Rich, and Tenney, the Special Committee appointed to wait upon the Governor and inform him of the organization of the Senate, reported they had performed their duty.

Senators Salsman, Swing, and McCormack, the Special Committee appointed to notify the Assembly of the organization of the Senate, reported they had performed their duty.

RESOLUTIONS

The following resolutions were offered:

By Senator Powers:

Senate Resolution No. 10

Resolved, That the following named persons be and they are hereby appointed to the positions hereinafter set forth as provided by law, with the compensation set opposite their names, payable weekly, beginning January 7, 1946, and the Controller is hereby directed to draw his warrants in favor of the respective persons for the same respective amounts, and the Treasurer is hereby directed to pay the same:

	Seven days per week *Per day*
Cleve V. Taylor, Chief Assistant Secretary	$15 00
Grace Brown, File Clerk	12 00
Petronella Rollins, Assistant Secretary	12 00

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McBride, Mixter, Powers, Quinn, Rich, Seawell, Shelley, Slater, Sutton, Tenney, Ward, and Weybret—33.

NOES—None.

By the Committee on Rules:

Senate Resolution No. 11

Creating the Senate Legislative Process Committee and defining its powers and duties

WHEREAS, Many of the legislative proposals involve problems within the jurisdiction of more than one standing committee of the Senate, and the adequate consideration of such measures requires the cooperation of such several committees in order to avoid duplicating the work of one such committee by another, and much delay in the legislative process could be avoided if it were possible to eliminate such duplication of effort and provide a means for expediting the consideration of such measures; and

WHEREAS, There is need of a committee equipped to ascertain facts and secure facts and secure information upon assigned topics from time to time during the session, a committee acting in aid of and in collaboration with the several standing committees of the Senate; now, therefore, be it

Resolved by the Senate of the State of California, That there is hereby created a Special Committee designated the "Senate Legislative Process Committee," consisting of the chairmen of the following Senate Committees: Rules, who shall be chairman of the committee; Finance, Governmental Efficiency, Judiciary, Revenue and Taxation, and Attaches; and be it further

Resolved, That the committee hereby created shall, during this Extraordinary Session of the Fifty-sixth Legislature and any recess thereof, take such steps as may be necessary to coordinate the work of the various standing committees of this session in considering questions before such session in order that there be no duplication of work or effort, and that the committee make such studies as may be necessary, ascertain such facts and information, and secure such statistics for the use of the members and committees of the Senate as may be of aid to them in considering and acting upon legislative proposals at this session; and be it further

Resolved, That to enable the committee hereinabove provided for to perform the duties assigned to it, said committee shall have and may exercise the following powers and duties:

(1) To employ and fix the compensation of a secretary and such clerical, expert and technical assistants as it may deem necessary;

(2) To create subcommittees of one or more members from its membership, assigning to the subcommittee any study, inquiry, investigation or hearing which the committee itself has authority to undertake or hold, and the subcommittee for the purpose of this assignment shall have and exercise all of the powers conferred upon the committee, which powers may be withdrawn or terminated at any time by the committee;

(3) To adopt and from time to time amend such rules governing its procedure (including the fixing of its own quorum and the number of votes necessary to take action on any matter) as may to it appear appropriate;

(4) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created;

(5) To meet at any and all times prior to the adjournment of this session of the Legislature, whether the Senate or Assembly be actually then sitting or not, and at any and all places within the State, in the performance of its duties and in carrying out the objects and purposes of this resolution;

(6) To summon and subpena witnesses, require the production of papers, books, accounts, reports, documents, and records of every kind and description, to issue subpenas, and to take all necessary means to compel the attendance of witnesses and procure testimony;

(7) To report its findings and recommendations to the Senate; and

(8) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution; and be it further

Resolved, That the committee, each of its members, and any representative of the committee thereunto authorized by the committee or by its chairman, is authorized and empower to administer oaths; and all of the provisions of Chapter 4, Part 1, Division 2, Title 2 of the Government Code, relating to the attendance and examination of witnesses before the Legislature and committees hereof, apply to the committee hereby created; and be it further

Resolved, That the Sergeant-at-Arms of the Senate and other officers designated by him, are hereby directed to serve any and all subpenas, orders and other process issued by the committee, when directed so to do by the chairman or by a majority of the membership of the committee or by a subcommittee; and be it further

Resolved, That every department, commission, board, agency, officer and employee of the State Government and of any political subdivision, county, city, or public district of or in this State shall furnish the committee and any subcommittee, upon request, any and all such assistance, and information, records and documents as the committee deems proper for the accomplishment of the purposes for which the committee is created; and be it further

Resolved, That the members of the committee shall serve without compensation and shall not be allowed mileage; and be it further

Resolved, That the sum of fifteen thousand dollars ($15,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the committee and for any charges, expenses or claims it may incur under this resolution, to be paid from the Contingent Fund of the Senate and disbursed, after certification by the chairman of the committee, or if incurred by a subcommittee, by the member or members of such subcommittee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McBride, McCormack, Mixter, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—34.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following resolution was offered:

Senate Concurrent Resolution No. 1: By Senator Seawell—Relative to Joint Rules of the Legislature.

Request for Unanimous Consent

Senator Seawell asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 1, at this time, for consideration.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 1

Senate Concurrent Resolution No. 1—Relative to Joint Rules of the Legislature.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield,

Hulse, Judah, Keating, Kuchel, Mayo, McBride, McCormack, Mixter, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—36.

NOES—None.

Resolution ordered transmitted to the Assembly.

RESOLUTIONS

The following resolution was offered:

By Senator Seawell:

Senate Resolution No. 12

Resolved, by the Senate of the State of California, That all of those persons who heretofore filed their credentials and were duly recognized as representatives of the publications they represented for the Fifty-sixth (Regular) Session are hereby recognized as the representatives of those publications for this Extraordinary Session.

Resolution read, and adopted.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were introduced, and read the first time:

Senate Bill No. 1: By Senator Seawell—An act making an appropriation for the contingent expenses of the Senate, without regard to fiscal years, including committee expenses, to take effect immediately.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 2: By Senator Slater—Relative to approving a certain amendment to the charter of the City of Santa Rosa, a municipal corporation in the County of Sonoma, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the fourth day of December, 1945.

Request for Unanimous Consent

Senator Slater asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 2, at this time, for consideration.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 2

Senate Concurrent Resolution No. 2—Relative to approving a certain amendment to the charter of the City of Santa Rosa, a municipal corporation in the County of Sonoma, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the fourth day of December, 1945.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McBride, McCormack, Mixter, Powers, Quinn, Rich, Seawell, Slater, Sutton, Swing, Tenney, Ward, and Weybret—35.

NOES—None.

Resolution ordered transmitted to the Assembly.

REQUEST FOR UNANIMOUS CONSENT

Senator DeLap asked for, and was granted, unanimous consent to have the following Statement of Capital Expenditures Required by State Agencies, submitted by the Director of Finance, printed in the Journal:

State of California

Statement of Capital Expenditures Required by State Agencies Submitted by Director of Finance to the First Extraordinary Session Fifty-sixth Legislative Session, January, 1946

January 2, 1946

Honorable Earl Warren, Governor of California
Sacramento, California

SUBJECT: Recommended capital expenditure for State agencies

DEAR GOVERNOR WARREN: In 1943, following the action of the Legislature in creating a Postwar Employment Reserve, the Department of Finance was requested to study and report on the needs of the various State institutions and agencies. For the past two and one-half years this study has been carried forward consistently, with progress reports made to you and to the Legislature at its various sessions since that time.

We have been assisted in this work by the Legislative Auditor, Mr. Roland A Vandegrift, the State Architect, and members of his staff, and representatives of all of the State agencies involved. The report is in the main limited to buildings and apportioned structures and improvements for State agencies supported from the General Fund. It does not include Flood Control, Highways, County and District Fairs, Fish and Game and other special fund agencies.

The scope of the program is as follows:

First: Estimated needs to eliminate existing overcrowding, and projected growth to the year 1950.

Second: The elimination and replacement of obsolete and condemned buildings, and those showing excessive cost of maintenance and operation.

Third: Elimination of all wooden and temporary firetraps built because of emergencies.

Fourth: The construction of office buildings to relieve congestion where it is economically sound because of excessive rental costs.

Fifth: An adequate fund for bringing up to date maintenance of existing buildings.

The following factors must be taken into consideration in accounting for the size of the program. It presents the construction needs of 20 years, from 1930 to 1950, during which time for 11 years the State suffered from a continuous deficit due to depression and other causes; four years of war, during which no construction was possible; and projecting the needs for five years to 1950. During that time the population of the State will have increased, according to conservative estimates, by 50 per cent. In 1930 the facilities provided were even then totally inadequate and continuous overcrowding has resulted. Since 1930 very little progress has been made, and construction appropriations have been totally inadequate to meet the needs of a growing State. Construction costs have increased at least one-third since 1940, which materially increases the amount of money needed to accomplish the same objective.

We have assumed that it was not our function to recommend expansions which involve policies not yet determined by the Legislature. Therefore many items presented by the various State agencies, which appear to be worthy of full consideration, are not included. This is especially true of the University of California program.

The total amount needed to meet these needs is $154,000,000, segregated as follows among the various agencies.

University of California	$30,000,000
Department of Education	13,500,000
Department of Institutions	57,500,000
Department of Corrections	12,200,000
Youth Authority	7,000,000
Veterans' Home	2,400,000
State Capitol and Offices	15,800,000
Department of Natural Resources	3,300,000
Department of Motor Vehicles (loan)	3,400,000
Department of Agriculture	400,000
State Agricultural Society and Exposition Park	3,500,000
Miscellaneous Repairs and Improvements	5,000,000

Full detail is presented, with each item shown in order of priority. Additional information as to population trends and other factual data is available in a report prepared by the State Department of Public Works, Division of Architecture.

In addition we have submitted a list of the presently known needs that must be met after the year 1950, listed also in order of priority.

It is our opinion that there is no single item included that is not needed if the functions of the State are to be properly carried on.

Respectfully submitted.

JAMES S. DEAN
Director of Finance

STATEMENT SHOWING CAPITAL EXPENDITURE NEEDS—STATE AGENCIES FOR WHICH APPROPRIATIONS ARE RECOMMENDED

FIRST EXTRAORDINARY SESSION—56TH LEGISLATIVE SESSION
JANUARY 1946

University of California (8 campuses)	$29,588,000
Department of Education	13,409,530
Department of Mental Hygiene	57,466,200
Department of Corrections	12,165,300
Youth Authority	7,012,000
Veterans' Home	2,254,000
State Capitol and Office Buildings	15,758,000
Sacramento — San Francisco	
Los Angeles — Oakland	
San Diego — Fresno	
Department of Natural Resources	3,300,000
Department of Motor Vehicles	3,332,500
Department of Agriculture	362,000
State Fair and Exposition Park	3,460,100
Maintenance and Miscellaneous	5,000,000
Total	$153,107,630

STATE POSTWAR BUILDING CONSTRUCTION PROGRAM

UNIVERSITY OF CALIFORNIA

OVERALL PRIORITY LIST

Priority number	Location	Item	Current estimated cost
1	San Francisco Medical	Teaching Hospital Completion	$2,670,000
2	Los Angeles	Library Stack Completion	215,000
3	Berkeley	Library Stack Completion	335,000
4	Davis	Veterinary Science Unit 2	670,000†
5	La Jolla-Oceanography	Pier Repairs and Rehabilitation	67,000
6	Santa Barbara	Library and Administration	400,000
7	Mt. Hamilton	Fire Protection and Building Rehabilitation	100,000
8	Los Angeles	Engineering Unit No. 1	1,670,000
9	Davis	Plant Sciences	670,000†
10	San Francisco	Medical Sciences	2,275,000
11	Berkeley	Chemistry Expansion	800,000
12	Riverside-Citrus	Plant Pathology and Physiology	400,000†
13	Santa Barbara	Classrooms	400,000
14	Los Angeles	Utility Expansion	134,000
15	Berkeley	Library Annex	1,335,000
16	Davis	Soils and Irrigation	400,000†
17	La Jolla	Library, Museum and Aquarium	167,000
18	Los Angeles	Social Sciences, Geology and Chemistry	2,390,000
19	Mt. Hamilton	Reflecting Telescope	1,200,000
20	Santa Barbara	Gymnasium	466,000
21	Riverside	Heating Plant	80,000†
22	Los Angeles	Life Sciences Unit No. 2	1,335,000
23	Berkeley	Engineering	1,335,000
24	Davis	Poultry Husbandry	335,000†
25	Santa Barbara	Sciences	734,000
26	La Jolla	Sea Wall	34,000
27	San Francisco	Dental Clinic Expansion	135,000
28	Los Angeles	Library Wing and Alterations	790,000
29	Berkeley	School of Public Health	750,000
30	La Jolla	Utilities Expansion and Roads	34,000
31	Davis	Utilities Expansion and Roads	147,000†
32	Los Angeles	Business Administration and Economics	1,000,000
33	Berkeley	Classrooms	1,500,000
34	Davis	Student Health Center	200,000†
35	Los Angeles	Men's Gymnasium Alterations and Addition	400,000
36	Los Angeles	Women's Gymnasium Alterations and Addition	400,000
37	Berkeley	Utility Expansion	135,000
38	Berkeley	Jurisprudence	900,000
39	Davis	Home Economics	670,000†
40	Los Angeles	Student Health Center	800,000
41	Berkeley	Forestry	800,000
42	Los Angeles	Home Economics	670,000
43	Berkeley	Physics Addition	800,000
44	Los Angeles	Administration Wing	335,000
45	Berkeley	Home Economics	670,000
46	Los Angeles	Education and Art	670,000

STATE POSTWAR BUILDING CONSTRUCTION PROGRAM

UNIVERSITY OF CALIFORNIA—Continued

Priority number	Location	Item	Current estimated cost
47	Berkeley	Insectory, Unit No. 1	$67,000
48	Berkeley	Forest Products Laboratory	670,000
49	Davis	Food Technology	670,000†
		Subtotal	$33,830,000
		Postwar Employment Reserve	$29,588,000
		†Provided from Horse Racing Funds already appropriated	$4,242,000

BALANCE OF PROGRAM—UNIVERSITY OF CALIFORNIA

(Not provided for in initial appropriation)

Priority number	Location	Item		Current estimated cost
50	Los Angeles	Arroyo Grading		$400,000
51	Berkeley, Davis, Los Angeles, Santa Barbara	Dormitories to Be Divided		5,600,000
52	San Francisco	Quarters for Nurses and Internes		940,000
53	San Francisco	Clinics Addition or Parking		700,000
54	San Francisco	Medical Sciences Completion		4,441,000
55	Los Angeles	Medical School		12,055,000
		Preclinical Laboratories	$2,370,000	
		Vivarium	295,000	
		Hospital	5,500,000	
		Outpatient Clinic	1,470,000	
		Nurses Home	500,000	
		Internes' Quarters	210,000	
		Clinicial Research	1,210,000	
		Laboratory, Laundry and Heating	500,000	
56	Davis	Veterinary Science Unit No. 3		1,000,000†
57	Santa Barbara	Power House and Utilities		270,000
58	Berkeley	Utilities Extension		265,000
59	La Jolla	Service		35,000

STATE POSTWAR BUILDING CONSTRUCTION PROGRAM

UNIVERSITY OF CALIFORNIA—Continued

BALANCE OF PROGRAM—UNIVERSITY OF CALIFORNIA

(Not provided for in initial appropriation)

Priority number	*Location*	*Item*	*Current estimated cost*
60	Riverside	Shops, Metal and Woodwork	$30,000†
61	Los Angeles	University Elementary School	600,000
62	Santa Barbara	Site Development	340,000
63	Davis	Utility Expansion	200,000†
64	Berkeley	Astronomy	400,000
65	Riverside	Main Building Remodeling	40,000†
66	San Francisco	Purchase of Land	1,000,000
67	La Jolla	Building Rehabilitation	35,000
68	Santa Barbara	Auditorium, Music, Speech	670,000
69	Berkeley	Anthropology	670,000
70	Davis	Horticulture and Viticulture	670,000†
71	San Francisco	Generating Plant Addition	70,000
72	Riverside	Plant Breeding Greenhouse	30,000†
73	La Jolla	Roads and Paths	15,000
74	Berkeley	Cowell Hospital Addition	800,000
75	Davis	Physical Sciences	270,000†
76	Los Angeles	Utility Expansion	200,000
77	Santa Barbara	Art	400,000
78	San Francisco	Parking Area	670,000
79	Riverside	Glasshouses—Chemistry	70,000†
80	La Jolla	Salvage Eroded Area	10,000
81	Berkeley	Plant Nutrition and Soils	800,000
82	Santa Barbara	Student Health Center	335,000
83	Davis	Biological Sciencies	335,000†
84	Los Angeles	Geology-Chemistry Unit No. 2	1,350,000
85	Riverside	Temperature Control Expansion	30,000†
86	San Francisco	Medical Research	670,000
87	La Jolla	Residential Development and Improvement	67,000
88	Berkeley	Insectory Unit No. 2	265,000
89	Santa Barbara	Home Economics	800,000
90	Davis	Dairy Industry Addition	200,000†
91	Los Angeles	Agriculture	235,000
92	San Francisco	Continuation Study Center	670,000
93	Riverside	Library—Auditorium	400,000†
94	Berkeley	Music Unit No. 1	400,000
95	Davis	Low Temperature Laboratories	335,000†
96	Santa Barbara	Corporation Yard	135,000
97	Los Angeles	Avenue "A" Pavement	100,000
98	Riverside	Entomology Completion	135,000†
99	San Francisco	Hospital and Research Laboratories—Chronic Diseases	1,350,000
100	Berkeley	Greenhouses	265,000
101	Davis	Utilities	70,000†
102	Los Angeles	Tennis Courts	104,000
103	San Francisco	Students Union	1,000,000
104	Riverside	Service Shops and Residences	105,000†
105	Berkeley	Drama	1,000,000

STATE POSTWAR BUILDING CONSTRUCTION PROGRAM

UNIVERSITY OF CALIFORNIA—Continued

BALANCE OF PROGRAM—UNIVERSITY OF CALIFORNIA

(Not provided for in initial appropriation)

Priority number	Location	Item	Current estimated cost
106	Los Angeles	Outdoor Theatre Completion	$240,000
107	Davis	Poultry Unit No. 2	335,000†
108	Santa Barbara	Student Union	400,000
109	Berkeley	Plant Physiology	135,000
110	Los Angeles	Drama	1,000,000
111	Davis	Greenhouses	70,000†
112	Riverside	Environment Control Laboratory	335,000†
113	Berkeley	Art	660,000
114	Los Angeles	Extension Classroom and Offices	800,000
115	Davis	Animal Husbandry Expansion	800,000†
116	Berkeley	Geology and Paleontology	1,000,000
117	Los Angeles	Library Wing and Stack	1,870,000
118	Davis	Women's Gymnasium	200,000†
119	Berkeley	Military and Naval Science	735,000
120	Los Angeles	Military and Naval Science	735,000
121	Davis	Men's Gymnasium Addition	335,000†
122	Los Angeles	Mechanic Arts	470,000
123	Berkeley	Nursery School and Administration Annex	265,000
124	Davis	Student Union	335,000†
125	Berkeley	Chemistry Expansion	1,350,000
126	Los Angeles	Vivarium Addition	110,000
127	Davis	Roads and Campus Development	135,000†
128	Berkeley	Engineering Laboratories	1,000,000
129	Los Angeles	Life Sciences Unit No. 3	1,350,000
130	Davis	Purchase of Land	670,000†
131	Berkeley	Home, Economic Unit No. 2	665,000
132	Los Angeles	Life Sciences, Complete Unit No. 1	300,000
133	Davis	Central Garage	135,000†
134	Riverside	Greenhouses	60,000†
135	Berkeley	Anthropology Museum	1,000,000
136	Los Angeles	Astronomy—Student Observatory	35,000
137	Berkeley	Engineering—Central Unit	1,200,000
138	Los Angeles	Engineering—Unit No. 2	1,350,000
139	Berkeley	Extension Classrooms and Offices	465,000
140	Los Angeles	Engineering—Unit No. 3	1,350,000
141	Berkeley	Roads and Walks	265,000
142	Los Angeles	Art Museum	670,000
143	Los Angeles	Music	670,000
144	Berkeley	Land Purchase	1,150,000
145	Los Angeles	Land Purchase	400,000
146	Berkeley	General Warehouse	265,000
147	Los Angeles	Faculty Homesite Development	1,200,000
148	Berkeley	Auditorium	2,000,000
149	Los Angeles	Extension Classrooms and Offices	470,000
150	Berkeley	Life Sciences Rehabilitation	535,000
151	Los Angeles	Adult Education Center	1,000,000
152	Berkeley	Adult Education Center	1,000,000

STATE POSTWAR BUILDING CONSTRUCTION PROGRAM

UNIVERSITY OF CALIFORNIA—Continued

BALANCE OF PROGRAM—UNIVERSITY OF CALIFORNIA

(Not provided for in initial appropriation)

Priority number	*Location*	*Item*	*Current estimated cost*
153	Los Angeles	Corporation Yard	$200,000
154	Berkeley	Athletic Plant—Improvement and Expansion	600,000
155	Davis	Stadium	600,000†
156	Berkeley	Optometry	135,000
	Grand Total		$110,937,000
	Postwar Employment Reserve		$98,765,000
	†Provided from Horse Racing Funds already appropriated		$12,172,000

Detail:

Berkeley	$29,387,000
Davis	10,457,000†
La Jolla	464,000
Los Angeles	40,073,000
Mt. Hamilton	1,300,000
Riverside	1,715,000†
San Francisco	16,591,000
Santa Barbara	5,350,000
General	5,600,000

STATE POSTWAR BUILDING CONSTRUCTION PROGRAM

DEPARTMENT OF EDUCATION

OVERALL PRIORITY LIST

Priority number	*Location*	*Item*	*Current estimated cost*
*1	Cal. School for the Deaf	Kindergarten Dormitory	$266,000
*2	Cal. School for the Deaf	Intermediate Girls' Dormitory	226,000
*3	Cal. School for the Deaf	Advanced Girls' Dormitory	200,000
*4	Cal. School for the Deaf	Advanced Boys' Dormitory	216,000
*5	Cal. School for the Deaf	Razing Old Buildings	60,000
*6	Cal. School for the Deaf	Ground Improvements	105,000
*7	Cal. School for the Deaf	Boiler Plant and Sewage	67,000
*8	Cal. School for the Deaf	Complete Intermediate and Advanced School	133,000
*9	Chico State College	Boiler and Maintenance Shop	92,000
*10	Chico State College	Training School	305,000
*11	Humboldt State College	Industrial Arts	130,000
*12	San Diego State College	Sewer Line Replacement	20,000
*13	San Diego State College	Library Addition	95,000
*14	San Francisco State Col.	Ground Utilities	200,000
*15	San Francisco State Col.	Gymnasium and Natatorium	653,300
*16	San Francisco State Col.	Power House and Shops	135,000
*17	San Francisco State Col.	Administration Building	127,000
*18	San Francisco State Col.	Classroom Building	368,000
*19	San Francisco State Col.	Science Building	486,000
*20	San Francisco State Col.	Library Building	387,000
*21	San Francisco State Col.	Music and Speech	493,000
*22	San Francisco State Col.	Fine Arts	286,000
*23	San Francisco State Col.	Industrial Arts	134,000
24	San Francisco State Col.	Cafeteria	167,000
*25	Cal. School for the Blind	Kindergarten Addition	38,000
*26	Cal. School for the Blind	Library Addition	36,600
27	Cal. School for the Blind	Additional Boys' Dormitory and Services	52,000
*28	Fresno State College	Industrial Arts Shop	333,600
*29	Fresno State College	Men's Gymnasium	384,000
*30	San Diego State College	Arts and Crafts	215,000
*31	San Jose State College	Music Building	433,300
*32	San Jose State College	Laboratory and Shop Building	433,300
*33	Cal. School for the Deaf	Vocational Unit and Rehabilitation of Training Building	141,000
*34	Cal. Polytechnic	Library and Classroom Building	400,000†
*35	Cal. Polytechnic	Water Tank and Distribution System	14,000†
36	Cal. Polytechnic	Central Feed Storage Unit	66,667†
37	Cal. Polytechnic	Utility Building and Distribution System	224,933†
38	Cal. Polytechnic	Poultry Instruction Plant	100,000†
*39	San Diego State College	Commerce and Administration Building	147,730
*40	San Diego State College	Cooperative Warehouse and Yard	40,000
*41	Fresno State College	Science Building Addition	242,000
*42	Fresno State College	Farm and Agricultural Shop	66,000
43	San Jose State College	Women's Gymnasium	270,000
*44	Fresno State College	Music and Auditorium	596,700
45	San Diego State College	Training School	305,000

* Previously approved by State Board of Control.

STATE POSTWAR BUILDING CONSTRUCTION PROGRAM

DEPARTMENT OF EDUCATION—Continued

Priority number	*Location*	*Item*	*Current estimated cost*
*46	San Diego State College	Industrial Arts	$200,000
47	Cal. Polytechnic	Replace Corral Fences	26,667†
48	Cal. Polytechnic	Athletic Field and Addition to Gymnasium	133,000†
*49	Humboldt State College	Library, Science and Classroom Building	269,000
50	Chico State College	Science	233,300
51	Chico State College	Music and Speech Annex	156,600
*52	Cal. Polytechnic	Aeronautics and Industrial Shop	352,000†
53	Cal. School for the Deaf	Laundry and Cleaning Plant	106,000
54	San Jose State College	Cafeteria	166,600
55	Cal. Polytechnic	Agricultural Mechanics Building	202,000†
56	Cal. Polytechnic	Corporation Yard and Garage	124,000†
57	Cal. Polytechnic	Science Unit No. 1	153,000†
58	San Jose State College	Remodel Auditorium	178,600
59	Humboldt State College	Heating Plant Additions	34,300
60	San Jose State College	Administration Building	200,000
61	San Jose State College	Boiler Plant Addition	55,000
62	Chico State College	Industrial and Vocational Building	200,000
63	San Jose State College	Library Completion	295,000
64	Cal. Maritime Academy	Classrooms, Shops and Dormitory and Kitchen	1,133,000
65	Fresno State College	Administration Building	149,000
66	Humboldt State College	Corporation Yard and Shops	70,600
67	Fresno State College	Addition, Speech Building	30,000
68	San Diego State College	Music and Speech Arts	225,000
69	San Diego State College	Science Addition	246,000
70	Fresno State College	Demonstration School	246,000
71	San Diego State College	Ground Improvements	130,000
		Subtotal	$15,205,797
		Postwar Employment Reserve	$13,409,530
		†Provided from Horse Racing Funds already appropriated	$1,796,267

* Previously approved by State Board of Control.

STATE POSTWAR BUILDING CONSTRUCTION PROGRAM

DEPARTMENT OF EDUCATION—Continued

BALANCE OF PROGRAM—DEPARTMENT OF EDUCATION

(Not provided for in initial appropriation)

Priority number	*Location*	*Item*	*Current estimated cost*
72	Cal. School for the Deaf	Superintendent's Residence	$30,000
73	San Diego State College	Home Arts Building	35,000
74	Chico State College	Addition to Library	87,400
75	Cal. School for the Deaf	Athletic Field	60,000
76	Chico State College	Addition to Administration and Classroom Building	137,000
77	San Diego State College	Cafeteria	285,000
78	San Diego State College	Music Building Extension	154,000
79	Chico State College	Gymnasium for Men and Women	335,000
80	San Diego State College	Heating Plant Addition	34,000
81	San Diego State College	Water Storage and Irrigation Line	28,000
82	San Francisco State Col.	Auditorium	450,000
83	San Diego State College	Armory Building	90,000
84	San Jose State College	Science Building Addition	205,000
85	San Diego State College	Auditorium	450,000
86	San Diego State College	Ground Improvements	199,200
87	Chico State College	Athletic Field	107,000
88	San Diego State College	Garage	85,800
89	San Diego State College	Tennis and Handball Courts	40,600
90	Humboldt State College	Auditorium	253,300
91	San Diego State College	Swimming Pool	67,800
92	Humboldt State College	Completion of Stadium	72,900
93	Humboldt State College	Women's Gymnasium	142,300
94	Humboldt State College	Swimming Pool and Equipment	126,700
95	Cal. School for the Deaf	Garages	22,700
96	Cal. School for the Deaf	School Principal's Residence	13,300
97	Cal. School for the Deaf	Business Manager's Residence	13,300
98	San Diego State College	Two Dormitories	450,700
99	San Francisco State Col.	Women's Dormitory	336,000
100	San Francisco State Col.	Men's Dormitory	141,300
101	Fresno State College	Four Dormitories	1,067,000
102	San Jose State College	Men's Dormitory No. 1	479,200
103	San Jose State College	Women's Dormitory No. 1	479,200
104	San Jose State College	Men's Dormitory No. 2	479,200
105	San Jose State College	Women's Dormitory No. 2	479,200
106	San Jose State College	Men's Dormitory No. 3	479,200
107	San Jose State College	Men's Dormitory No. 4	479,200
108	Cal. Polytechnic	Farm Buildings Propagation House, etc.	184,533†
109	Cal. Polytechnic	Addition to Electric Laboratory	20,000†
110	Cal. Polytechnic	Engineering Building	199,000†
111	Cal. Polytechnic	Farm Buildings	175,000†
112	Cal. Polytechnic	Food Processing Building	200,000†
113	Cal. Polytechnic	Women's Dormitory	124,000†
114	Cal. Polytechnic	Boys' Gymnasium	134,000†
115	Cal. Polytechnic	Cafeteria and Kitchen	116,000†
116	Cal. Polytechnic	Infirmary	32,000†
117	Cal. Polytechnic	Agricultural Classroom Unit	199,000†
118	Cal. Polytechnic	Addition to Administration Building	100,000†

STATE POSTWAR BUILDING CONSTRUCTION PROGRAM

DEPARTMENT OF EDUCATION—Continued

BALANCE OF PROGRAM—DEPARTMENT OF EDUCATION

(Not provided for in initial appropriation)

Priority number	*Location*	*Item*	*Current estimated cost*
119	Cal. Polytechnic	Ground Improvements Grade Crossings, etc.	$520,000†
120	Cal. Polytechnic	Auditorium and Music Building	387,000†
121	Cal. Polytechnic	Residences for Employees	67,000†
122	Cal. Polytechnic	Extension to Beef Unit	31,000†
123	Cal. Polytechnic	Extension of Utilities	227,000†
	Grand Total		$26,316,830
	Postwar Employment Reserve		$21,805,030
	†Provided from Horse Racing Funds already appropriated		$4,511,800

STATE POSTWAR BUILDING CONSTRUCTION PROGRAM

DEPARTMENT OF MENTAL HYGIENE

OVERALL PRIORITY LIST

Priority No.	Institution	Item	Capacity New	Capacity Replace.	Current Cost
*1	Napa	Two groups of ward buildings. Units 2 and 3	817	63	$1,104,000
*2	Napa	Two continued treatment buildings in above	66		192,000
*3	Napa	Kitchen, dining room and complete food unit			553,300
*4	Napa	Ground improvements for above new group			61,700
*5	Napa	Service facilities for above new group			58,300
*6	Napa	Equipment for above new group			133,300
*7	Agnews	Farm Colony ward building	101	24	213,300
*8	Patton	Auditorium and chapel			133,300
*9	Mendocino	Kitchen, commissary and feeding unit			504,000
*10	Norwalk	Sewage disposal plant and pipe. Possibility of entering L. A. Co. sewer system to be investigated			111,000
*11	Sonoma	Ward building No. 3, female—Rep. Maple Cottage	19	81	200,000
*12	Sonoma	Ward building No. 2, male—Rep. dairy and poultry cottages	50	50	174,700
*13	Sonoma	Utilities for buildings east of highway			160,000
*14	Sonoma	Steam boiler			40,000
*15	Sonoma	Tubercular hospital. Rep. TB units	94	86	506,700
*16	Stockton	Storm water sewer system			90,700
*17	Stockton	Auditorium and chapel			133,300
*18	Stockton	Ward building, female (on site of old main female building)	216		433,300
*19	Napa	Receiving, acute treatment, medical and surgical and administration unit for entire institution	700		2,826,600
*20	Camarillo	Receiving, acute treatment, medical and surgical unit and administration unit for entire institution (to include biological testing laboratory)	700		2,826,600
*21	Camarillo	Steam boiler			40,000
*22	Camarillo	Sewer plant additions			105,300
*23	Patton	Receiving, acute treatment, medical and surgical unit for entire institution. Administration building	265	85	1,600,000
*24	Patton	New boiler and repairs to power house			92,000
*25	Napa	Laundry addition			113,300
*26	Camarillo	Domestic water system extensions			26,700
*27	Camarillo	Bakery and extension of commissary			140,000
28	Camarillo	Garage for institution cars. Maintenance trucks and equipment			35,000
*29	Camarillo	Cold storage unit additions			55,000
*30	Pacific Colony	Tubercular unit	83		240,000
*31	Pacific Colony	Alterations to Ward 15, dividing into two wards	19		82,700

* Previously approved by State Board of Control.

STATE POSTWAR BUILDING CONSTRUCTION PROGRAM

DEPARTMENT OF MENTAL HYGIENE—Continued

Priority No.	Institution	Item	Capacity New	Capacity Replace.	Current Cost
*32	Pacific Colony	Laundry addition			$94,700
*33	Pacific Colony	400 horsepower boiler			40,000
*34	Sonoma	Additional utilities for buildings east of highway			133,300
*35	Sonoma	Ward building No. 4, female	100		174,700
*36	Sonoma	Ward building No. 8, male—representing Manzanita cottage	34	66	174,700
*37	Sonoma	Ward building No. 1, female—representing Poppe cottage	44	56	174,700
*38	Sonoma	Ward building No. 2, female	100		174,700
*39	Sonoma	Ward building No. 5, female (infirm)	100		200,000
*40	Sonoma	Slaughter house			16,000
*41	Napa	Sewage disposal plant			186,700
*42	Napa	Sewer system lines			20,000
*43	Camarillo	Water softeners			29,300
*44	Stockton	Commissary and warehouse			73,300
*45	Stockton	Garage and automotive repair shop			24,000
*46	Norwalk	Fire house and fire employees' quarters			24,000
*47	Camarillo	Backwash water softener disposal system			53,300
*48	Stockton	Receiving, medical and surgical unit and administration building for entire institution (replaces receiving, psychopathic and hospital buildings)	173	207	1,466,600
*49	Mendocino	Building to replace main building and to replace Wards 10, D and E Replaces 741 beds Construct 661 beds	-80	741	1,173,300
50	Mendocino	Remodel Ward 8 Present capacity 137 beds Remodeled capacity 100 beds	-37		53,300
*51	Mendocino	Administration, receiving, medical and surgical building and hospital ward addition	145	55	920,000
*52	Mendocino	New auditorium and library			92,800
*53	Mendocino	Landscaping, road rebuilding and repairs. Paving, etc., curbs and court yards			93,300
*54	Mendocino	Addition and extensions to street lighting system			26,700
55	Mendocino	Ice making equipment and addition to boiler plant			21,300
*56	Sonoma	Replacement of laundry			300,000
*57	Camarillo	Garages for attendants' quarters No. 4			46,700
*58	Camarillo	Attendants' quarters No. 6			153,300
*59	Camarillo	Garages for attendants' quarters No. 6			21,300
*60	Camarillo	Assembly hall for patients			200,000
*61	Pacific Colony	Warehouse			14,700
*62	Agnews	Annex road extension			13,300
63	Agnews	Laundry replacement			246,700

* Previously approved by State Board of Control.

STATE POSTWAR BUILDING CONSTRUCTION PROGRAM

DEPARTMENT OF MENTAL HYGIENE—Continued

Priority No.	Institution	Item	Capacity New	Capacity Replace.	Current Cost
*64	Camarillo	Realign road from hospital group to employees' quarters			$44,300
*65	Patton	Tubercular units for male and female. Represents Cottages 12, 19, E and McGonigal	129	371	1,200,000
*66	Mendocino	Warehouse for storage of canned goods and supplies			26,700
*67	Mendocino	Remodeling and extending the primary group of the electrical system and equipment for entire institution			70,700
*68	Napa	Concrete underpass			42,400
*69	Napa	Tubercular unit	250		600,000
*70	Sonoma	Dairyman's cottage and equipment			8,000
*71	Agnews	Poultry ranch buildings and equipment			32,300
*72	Napa	Juvenile unit	150		500,000
*73	Camarillo	Juvenile unit	150		500,000
74	Camarillo	Domestic well, including power lines and pump			15,300
75	Camarillo	Two water softeners			20,900
76	Camarillo	Two physicians' residences and equipment			28,000
77	Stockton	Three physicians' residences and equipment			40,000
78	Pacific Colony	Physician's residence and equipment			13,300
79	Napa	Two physicians' residences and equipment			28,500
80	Mendocino	Two physicians' residences and equipment			26,700
81	Norwalk	Two physicians' residences and equipment			26,700
82	Norwalk	Domestic water well			19,900
83	Patton	Three physicians' residences and equipment			40,000
84	Pacific Colony	Residence for chief engineer and equipment			8,700
85	Camarillo	Crematory and chapel			53,300
86	Napa	Commissary and general supply warehouse			166,700
87	Sonoma	School and library building			112,000
88	Agnews	Ward building annex unit No. 4. Kitchen. Replaces bungalows	212	188	666,700
89	Agnews	Annex road extension			13,300
90	Napa	Parole ward, male	300		433,300
91	Napa	Parole ward, female	300		433,300
92	Napa	Two physicians' residences and equipment			28,500
93	Napa	Dairy, expansion and improvements			100,000
94	Napa	Poultry ranch, expansion and improvements			46,700

* Previously approved by State Board of Control.

STATE POSTWAR BUILDING CONSTRUCTION PROGRAM

DEPARTMENT OF MENTAL HYGIENE—Continued

Priority No.	Institution	Item	Capacity New	Capacity Replace.	Current Cost
95	Agnews	Ward building annex unit No. 6. No kitchen, male	400		$613,300
96	Agnews	Annex road extension			13,300
97	Agnews	Physicians' residences A3 and A4, and equipment			26,700
98	NEW INSTITUTION FOR EPILEPTICS		1,500		4,999,900
99	Agnews	Shoe and mattress shop			21,200
100	Agnews	Fire house and fire employees' quarters			32,700
101	Pacific Colony	Industrial building			101,600
102	Pacific Colony	Auditorium			128,700
103	Pacific Colony	Fire station and fire employees' quarters			38,000
104	Sonoma	Replace Bane annex, male	39	61	176,700
105	Sonoma	Replace North Cottage, male	26	74	175,300
106	Sonoma	Replace Haven Cottage, female	29	71	176,000
107	Sonoma	Replace Cohen Cottage, male	58	42	174,700
108	Sonoma	Replace Slater Cottage, female	20	80	176,000
109	Sonoma	Utilities for above new cottages			176,000
110	Sonoma	Addition to general hospital	75		333,300
111	Camarillo	Completion of female group, units 16, 17, 18, 19 and 20	722		1,226,600
112	Camarillo	Roads, walks, curbs, drainage, parking areas, court yards, sprinkler system, landscaping, development of play areas			57,300
113	Camarillo	Street lights for female group			14,700
114	The Langley Porter Clinic	60 ft. addition south end of building including garages, 20,000 sq. ft.	33		200,000
115	NEW MAXIMUM SECURITY INSTITUTION	For male and female patients—including defective and psychopathic delinquents, criminal insane, insane with criminal tendencies, sexual psychopaths and narcotic addicts, but excluding insane prisoners. To include: Male unit 900 capacity; Female unit 300 capacity; Hospital unit 100 capacity	1300		6,133,200
116	Mendocino	Alterations to Ward 12. To remodel Ward 12, making four individual wards for treatment patients rather than one ward for criminal cases. 14 capacity lost in alterations	−14		220,000
117	NEW PSYCHIATRIC RESEARCH CLINIC IN LOS ANGELES		200		1,000,000
118	Sonoma	Replacement of stables, hay storage and grain storage, implement and tool shed and blacksmith shop			41,300
119	Sonoma	Physician's residence and equipment			13,300
120	Sonoma	New gymnasium			109,300
121	Sonoma	Hay barns, 2 hay sheds, addition to barn No. 3, corrals, fencing			26,000

STATE POSTWAR BUILDING CONSTRUCTION PROGRAM

DEPARTMENT OF MENTAL HYGIENE—Continued

Priority No.	Institution	Item	Capacity New	Capacity Replace.	Current Cost
122	Sonoma	Warehouse			$30,700
123	Napa	Physician's residence and equipment			14,200
124	Norwalk	Combined carpenter and paint shop			55,700
125	Norwalk	Steam tunnel			33,900
126	Agnews	Annex shop building			21,300
127	Agnews	Cafeteria			16,800
128	Agnews	Stable and hay barn and blacksmith shop			12,700
129	Agnews	Female ward building. Replaces open air cottage	56	44	140,500
130	Agnews	Female ward building. Replaces Cottage M	38	62	140,500
131	Agnews	Ward building. Male workers' cottage	125		174,300
132	Camarillo	Landscape central court, male unit. Install sprinkler system. Develop playground facilities			28,700
133	Camarillo	Employees' quarters A			26,000
134	Camarillo	Domestic well, including power line and pump			13,600
135	Camarillo	Residence for superintendent and equipment			48,000
136	Camarillo	Residence for assistant superintendent and equipment			16,700
137	Camarillo	Residence for clinical director and equipment			16,700
138	Camarillo	Apartments for single doctors and equipment			50,400
139	Camarillo	Hog plant			60,000
140	Camarillo	Slaughter house			20,000
141	Camarillo	Construction of pickup and delivery rooms for laundry, male and female units			44,300
142	Napa	Ward for 150 patients working at dairy and poultry ranch	150		200,000
143	Napa	Auditorium			200,000
144	Napa	Carpenter shop			40,000
145	Napa	Paint shop			33,300
146	Napa	Sewing room			46,700
147	Napa	Mattress shop			20,000
148	Napa	Industrial occupational therapy shops (2)			106,700
149	Napa	Juvenile unit—expansion	150		200,000
150	Napa	Working ward for male patients	300		400,000
151	Napa	Working ward for female patients	250		333,300
152	FIRST NEW MENTAL HOSPITAL		1500		5,333,200
153	Napa	Two physicians' residences and equipment			28,500
154	Stockton	Building for male patients. Replaces Ward 9, fourth floor, main building	275	75	466,700
155	Stockton	Three physicians' residences and equipment			40,000

STATE POSTWAR BUILDING CONSTRUCTION PROGRAM

DEPARTMENT OF MENTAL HYGIENE—Continued

Priority No.	Institution	Item	Capacity New	Capacity Replace.	Current Cost
156	Patton	Four physicians' residences and equipment			$53,300
157	Norwalk	Two physicians' residences and equipment			26,700
158	Mendocino	Two physicians' residences and equipment			26,700
159	Camarillo	Poultry plant, including egg storage and feed houses			84,000
160	Sonoma	Bleachers and lights for recreation center			18,700
161	Sonoma	Crematory			60,000
162	Sonoma	Replace superintendent's residence and equipment			44,700
163	Sonoma	New female cottage	100		174,700
164	Sonoma	Replace Walnut cottage, female	31	69	201,300
165	Sonoma	Replace male infirmary annex	51	49	201,300
166	Sonoma	New female cottage	100		174,700
167	Sonoma	New male cottage	100		200,000
168	Sonoma	Utilities for above buildings			77,300
169	Sonoma	Commissary and feeding units			600,000
170	Sonoma	Physician's residence and equipment			13,300
171	Agnews	Annex employees' home, Unit C			106,700
172	Agnews	Annex auditorium			103,500
173	Camarillo	Disturbed group building	400		880,000
174	Camarillo	Freezing unit for fresh fruits and vegetables			33,300
175	Camarillo	Shoe shop and tailor shop			41,100
176	Camarillo	Post office, store and bus station			41,500
177	Camarillo	Aged and infirm group	400		687,300
178	Camarillo	500 hp. water tube boiler			40,000
179	Camarillo	Two physicians' residences and equipment			28,000
180	Napa	Ward building—Smith Brown Ranch	100		133,300
181	Napa	Ward building—Coombs Ranch	100		133,300
182	Napa	Rebuild cottage No. 21			42,000
183	Mendocino	Ranch ward. To replace Cottage 16	46	54	155,700
184	Mendocino	Tailor shop			36,700
185	Mendocino	Superintendent's residence and equipment			40,000
186	Mendocino	Cottage for dairyman and equipment			7,000
187	Mendocino	Cottage for chief engineer and equipment			7,000
188	Sonoma	Replace Bane Cottage	6	94	176,700
189	Sonoma	New female cottage—low grade, destructive type	100		200,000
190	Sonoma	New male cottage — including school rooms, custodial type	100		200,000
191	Sonoma	New female cottage	100		174,700
192	Sonoma	New male cottage	100		174,700

STATE POSTWAR BUILDING CONSTRUCTION PROGRAM

DEPARTMENT OF MENTAL HYGIENE—Continued

Priority No.	Institution	Item	Capacity New	Capacity Replace.	Current Cost
193	Sonoma	Utilities for above new buildings			$34,700
194	Sonoma	Employees' apartment house			81,300
195	Sonoma	Replacement of automobile shop and garages for State cars, on new site			40,000
196	Sonoma	Replacement, enlargement and additional poultry buildings			26,700
197	Sonoma	Cottage for chief engineer and equipment			10,000
198	Camarillo	Farm buildings for patients and quarters for 20 employees	79	71	316,000
199	Sonoma	Replace Stoneman Annex, main building female	47	53	174,700
200	Sonoma	New male cottage	100		174,700
201	Sonoma	New female cottage	100		174,700
202	Sonoma	New male cottage	100		174,700
203	Sonoma	Replace Laurel Cottage	32	68	176,700
204	Sonoma	Utilities for above buildings			42,700
205	Sonoma	Cottage for orchardman and equipment			8,000
206	Sonoma	Physician's residence and equipment			13,300
207	Sonoma	Manor house—Officers' apartments			70,700
208	Pacific Colony	Poultry plant and hay barn			31,300
209	Pacific Colony	Employees' quarters			97,000
210	Norwalk	Administration building addition			66,700
211	Camarillo	Main entrance gate and registration house			26,700
212	Camarillo	Barber shop for male unit—12 chair shop and waiting room for 100			35,700
213	Camarillo	Laundry addition and equipment. Including dry cleaning plant			111,900
214	Camarillo	Nursery, greenhouse and horticultural center			15,700
215	Camarillo	Attendant group recreational building			44,800
216	Camarillo	Garages for farm building employees			6,700
217	Sonoma	Replace Bentley Hall, main building male	1	99	174,700
218	Sonoma	Replace Bentley Annex, main building male	34	66	174,700
219	Sonoma	Replace Judah Hall No. 1, main building female		100	174,700
		Subtotals	14,759	3305	$57,466,200

STATE POSTWAR BUILDING CONSTRUCTION PROGRAM

DEPARTMENT OF MENTAL HYGIENE—Continued

BALANCE OF PROGRAM—DEPARTMENT OF MENTAL HYGIENE

(Not provided for in initial appropriation)

Priority No.	Institution	Item	Capacity New	Capacity Replace.	Current Cost
220a		LAND FOR NEW INSTITUTION FOR MENTAL DEFECTIVES 500 TO 750 ACRES—GENERAL FUND—$300,000			
220		NEW INSTITUTION FOR MENTAL DEFECTIVES	1,500		$5,000,000
221		COMPLETION OF FIRST NEW MENTAL HOSPITAL	1,000		2,666,600
222a		LAND FOR SECOND NEW MENTAL HOSPITAL—1000 ACRES —GENERAL FUND—$300,000			
222		SECOND NEW MENTAL HOSPITAL	1,500		5,333,200
223	Sonoma	Replace Judah Hall No. 2, main building female	24	76	174,700
224	Sonoma	New cottage, male	100		174,700
225a		LAND FOR THIRD NEW MENTAL HOSPITAL—1000 ACRES —GENERAL FUND—$300,000			
225		THIRD NEW MENTAL HOSPITAL	1,500		5,333,200
226	Sonoma	Physician's residence and equipment			13,300
227	Sonoma	Clearing the main building site			40,000
228	Sonoma	Replacement of Administration building			333,300
229	Sonoma	Employees' apartment house			81,300
230	Stockton	Two employees' buildings, one for men, one for women employees, 24 capacity each			106,700
231	Napa	Employees' residence and equipment			251,800
		Grand totals	20,383	3,381	$76,975,000

STATE POSTWAR BUILDING CONSTRUCTION PROGRAM

DEPARTMENT OF CORRECTIONS

OVERALL PRIORITY LIST

Priority No.	*Location*	*Item*	*Population Capacity New*	*Replace.*	*Current Estimated Cost*
1	San Quentin	Remodel and reequip kitchen			$133,300
2	San Quentin	Commissary, bakery and storage refrigerator			266,000
3	Cal. Institution for Men	Additional housing units, including services and equipment for additional inmates	400		800,000
4	New	MEDICAL FACILITY, INCLUDING RECEPTION CENTER	1200		5,130,000
5	New	MEDIUM SECURITY PRISON	1600		4,000,000
6	San Quentin	Jute Mill Building ($225,000 from Jute Fund)			200,000
7	New	WOMEN'S PRISON	100	150	1,000,000†
8	Folsom	Industrial Building			200,000
9	Folsom	Alteration and site improvement and utilities, including rebuilding armory			50,000
10	San Quentin	Chapel and religious activities			133,000
11	San Quentin	Education Building Addition			53,000
12	San Quentin	Warehouse and ground improvements			200,000
		Subtotals	3300	150	$12,165,300
	† Additional costs if prison left at present location				$500,000

BALANCE OF PROGRAM—DEPARTMENT OF CORRECTIONS

(Not provided for in initial appropriation)

Priority No.	*Location*	*Item*	*Population Capacity New*	*Replace.*	*Current Estimated Cost*
13	San Quentin	Hospital		100	$433,000
14	San Quentin	Remodel old hospital into dormitories			20,000
15	Folsom	Fencing, walls and guard posts			65,000
16	San Quentin	Walls, service gate and new main gate			50,000

STATE POSTWAR BUILDING CONSTRUCTION PROGRAM

DEPARTMENT OF CORRECTIONS—Continued

BALANCE OF PROGRAM—DEPARTMENT OF CORRECTIONS

(Not provided for in initial appropriation)

Priority No.	Location	Item	Population Capacity New	Population Capacity Replace.	Current Estimated Cost
17	San Quentin	Administration building, classification and captain's office			$270,000
18	Folsom	Receiving, visiting and administration building			30,000
19	Folsom	Maintenance engineering shops			15,000
20	San Quentin	Remodel administration building for employees			40,000
21	Cal. Institution for Men	Education building, chapel, assembly hall, equipment and services			266,000
22	New	ADDITION TO MEDICAL FACILITY			1,333,000
23	New	SECOND NEW GENERAL PRISON			4,800,000
		Grand Totals	3300	250	$19,487,300

STATE POSTWAR BUILDING CONSTRUCTION PROGRAM

YOUTH AUTHORITY

OVERALL PRIORITY LIST

Priority No.	Location	Item	Population Capacity New	Population Capacity Replace.	Current Estimated Cost
1	Los Guilucos	Administration, Receiving Hospital and Detention Building	20		
2	Los Guilucos	Dormitory Building No. 1	50		
3	Los Guilucos	Dormitory Building No. 2	50		
4	Los Guilucos	School, Auditorium and Chapel Building			
5	Los Guilucos	Remodel present Dining Room and Kitchen Building to increased capacity			
6	Los Guilucos	Sewage disposal system			
7	Los Guilucos	Central hot water and heating unit			
8	Los Guilucos	Gymnasium Building			$800,000
9	Los Guilucos	Resurfacing, realignment of roads, driveways and walks, grounds improvement			
10	Los Guilucos	Staff Quarters Building to accommodate 20 single employees			
11	Los Guilucos	Farm General, improvement of present hedges, fences, farm			
12	Los Guilucos	Maintenance Equipment Building			
13	Los Guilucos	Superintendent's Cottage			
14	Los Guilucos	Commissary			
15	Los Guilucos	Replacement of Engineer's Cottage			
16	Preston	Trades Training Building and equipment			170,600
17	Ventura	Administration, Hospital, Receiving Unit and Staff Quarters Building			306,000
18	Ventura	Needle Trades Building and School Extension			80,000
19	Ventura	Two cottages (30 capacity each)	60		168,600
20	Ventura	Remodeling present Detention Unit			27,000
21	Ventura	Remodel Employees Dining Room and Kitchen Building to accommodate 50 people			10,000
22	Preston	Alterations in existing Hospital; furniture and equipment			66,000
23	Preston	Four Dormitory Buildings		60	426,000
24	Preston	Bakery, Commissary, etc. (To replace condemned bakery)			133,000
25	Ventura	Commissary Building			27,000
26	Ventura	Remodel and convert present Hospital Building into Girl's Cottage	30		20,000
27	Ventura	Gymnasium Building			126,600
28	Preston	Completion of Dairy Unit, Equipment, Furniture and Machinery			24,000
29	Preston	Sewage Disposal Plant			35,300
30	Preston	Replacement of Administration Building			138,000
31	Preston	Fire House and Quarters			24,000
32	Ventura	Grounds Improvement and recreation area			20,000
33	Ventura	Employees Residence and furnishings			16,000
34	Preston	Employees Quarters—(26 bungalows) 3—5 rm., 8—4 rm., 15—2 rm.			190,600

STATE POSTWAR BUILDING CONSTRUCTION PROGRAM

YOUTH AUTHORITY—Continued

Priority No.	Location	Item	Population Capacity New	Population Capacity Replace.	Current Estimated Cost
35	Preston	Irrigation Piping			$27,000
36	Preston	Two Staff Officers' Residences			33,000
37	Preston	Gymnasium Building			172,000
38	Preston	Roads and Grounds Improvements			133,000
39	Fricot	Three Dormitories	50		184,000
40	Clinic South	Diagnostic and Classification Receiving center for boys and girls	250		800,000
41	NEW BOYS SCHOOL		250		1,067,000
42	Clinic, North		150		633,300
43	Ventura	Detention Unit		25	300,000
44	Preston	Repair and concrete delivery and diversion ditches			70,700
45	Preston	Replace obsolete street lighting and install A.C. service and motors			106,700
46	Fricot	Staff cottage			13,300
47	Fricot	Replace kitchen, dining room and refrigeration to accommodate 200 boys and 24 staff			40,000
48	Fricot	Four 5-room cottages for employees			50,000
49	Fricot	Gymnasium			93,300
50	Fricot	Storeroom and commissary			26,700
51	Fricot	Repairs to water system			13,300
52	Preston	Replace "D" and "H" Dormitory		80	213,300
53	Ventura	Chapel to seat 300 girls and 50 employees			53,300
54	Ventura	Remodel school to include 15 classrooms			86,700
55	Ventura	Remodel auditorium			20,000
56	Ventura	Employees residence of 20 single rooms			66,700
		Subtotals	910	85	$7,012,000

STATE POSTWAR BUILDING CONSTRUCTION PROGRAM

BALANCE OF PROGRAM—YOUTH AUTHORITY

(Not provided for in initial appropriation)

Priority No.	Location	Item	Population Capacity New	Population Capacity Replace.	Current Estimated Cost
57	Preston	Trades building and equipment			$120,000
58	Nelles	Administration and Hospital annex			46,700
59	Nelles	Replace boiler			24,000
60	Nelles	Remodel Thomas Jefferson Cottage			13,300
61	Nelles	Fire alarm system			20,000
62	Nelles	Repair electrical distribution system			17,300
63	Nelles	Garage for fire equipment			10,700
64	Nelles	Two staff and one employees cottages			50,000
65	Nelles	Six apartments for employees			40,000
		Grand Totals	910	165	$7,354,000

NOTE.—If a new site is acquired for Fred C. Nelles School, all postwar items should be canceled and provision made for a complete new boys school.

NOTE.—Funds have not been included in this request for the development and storage of water at Preston School or Los Guilucos School for Girls. An exploratory well is being drilled at Preston. If water is not found at this location, it will then be necessary to again consider a dam on Sutter Creek. Funds have been appropriated to drill another well at Los Guilucos, but no funds have been provided for storage. If water is located on the property, provision should be made for an earthen dam. If water is not developed on the property, it will then be necessary to acquire additional property, but in either case funds for storage will be required.

STATE POSTWAR BUILDING CONSTRUCTION PROGRAM

VETERANS' HOME OF CALIFORNIA

REVISED OVERALL PRIORITY LIST

Priority Number	*Item*	*Capacity*	*Current Estimated Cost*
1	East Wing to Hospital		$119,000 (additional cost)
2	Convalescent Barracks	200	374,000
*3	Domiciliary Barracks	200	347,000
4	Road and Ground Improvements		135,000
*5	Cottages for Physicians		67,000
6	Administration Building		125,000
7	Medical Center and Receiving Ward in Connection with Administration Building	50	125,000
*8	Women Employees' Quarters		200,000
9	Men Employees' Quarters and Rooms for Married Help		200,000
*10	Laundry and Dry Cleaning Unit		187,000
*11	Electric Distribution Lines		67,000
*12	Ground Lighting System		28,000
13	Auditorium and Recreation Center		280,000
	Subtotals	450	$2,254,000

BALANCE OF PROGRAM—VETERANS HOME

(Not provided for in initial appropriation)

Priority Number	*Item*	*Capacity*	*Current Estimated Cost*
14	Domiciliary Barracks	200	$347,000
15	Five quarters for staff officers		67,000
16	Central Warehouse		73,000
*17	West Wing to Hospital	104	310,000
*18	Hog Ranch Addition		23,000
	Grand totals	754	$3,074,000

* Previously approved by State Board of Control.

STATE POSTWAR BUILDING CONSTRUCTION PROGRAM

STATE CAPITOL AND OFFICE BUILDINGS

OVERALL PRIORITY LIST

Priority number	*Location*	*Item*	*Current estimated cost*
*1	Sacramento	Capitol Addition	$2,400,000
*1	Sacramento	Capitol Repairs	533,000
2	Sacramento	Office Buildings	3,000,000†
3	San Francisco	State Building Annex	1,900,000
4	Los Angeles	State Building No. 2	2,400,000
*5	San Diego	State Building	650,000
6	Sacramento	Governor's Residence	175,000
7	Sacramento	Printing Plant	1,200,000
8	Oakland	State Building	500,000
9	Fresno	State Building	500,000
10	Sacramento	Garage	750,000
*11	San Francisco	State Building No. 2	1,750,000
		Grand total	$15,758,000

* Previously approved by State Board of Control.
† If Motor Vehicle building is not approved this amount will become $4,000,000.

STATE POSTWAR BUILDING CONSTRUCTION PROGRAM

DEPARTMENT OF NATURAL RESOURCES

	Current estimated cost
Roads, trails, structures, insect and disease control, no detail available	$3,300,000

BALANCE OF PROGRAM—DEPARTMENT OF NATURAL RESOURCES

(Not provided for in initial appropriation)

	Current estimated cost
Roads, trails, structures, insect and disease control, no detail available	$22,846,915
Grand total	$26,146,915

STATE POSTWAR BUILDING CONSTRUCTION PROGRAM

DEPARTMENT OF MOTOR VEHICLES

OVERALL PRIORITY LIST

Priority number	*Location*	*Item*	*Present rental (monthly)*	*Required gross area*	*Current estimated cost*
1	Los Angeles		$2,130	75,000	$750,000
2	San Francisco		705	33,000	330,000
‡3	San Diego (State Building)		200	14,000	
4	East Los Angeles		225	10,000	100,000
‡5	Fresno (State Building)		320	15,000	
6	Bakersfield		50	5,000	50,000
7	Grass Valley		25	2,440	25,000
8	Hanford		35	2,440	25,000
9	Hayward		50	2,440	25,000
10	Orange		170	4,000	40,000
11	Red Bluff		60	1,435	16,000
12	Riverside		125	5,000	50,000
13	Roseville		25	2,440	25,000
14	Martinez		1 per yr.	2,440	25,000
15	Santa Maria		25	2,440	25,000
16	Susanville		30	1,435	16,000
17	Truckee		nil	1,500	17,500
18	Tulelake		50	1,435	15,000
19	Vallejo		80	2,440	25,000
20	Willows		35	2,440	25,000
21	Chico		nil	2,440	25,000
22	Sonora		50	1,435	16,000
23	Jackson		30	1,435	16,000
24	Colusa		30	1,435	16,000
25	Redwood City		75	2,440	25,000
26	Sacramento Office		nil	180,000	1,650,000
	Subtotal				$3,332,500

‡ Space to be provided in new State Buildings.

STATE POSTWAR BUILDING CONSTRUCTION PROGRAM

DEPARTMENT OF MOTOR VEHICLES—Continued

BALANCE OF PROGRAM—DEPARTMENT OF MOTOR VEHICLES

(Not provided for in initial appropriation)

Priority number	Location	Item	Present rental (monthly)	Required gross area	Current estimated cost
27	Sacramento—Garage and Warehouse		420	33,105	$350,000
28	San Jose		250	9,000	90,000
29	Pasadena		125	9,000	90,000
30	Hollywood		260	13,000	130,000
31	Quincy		nil	1,435	16,000
32	San Rafael		150	2,440	25,000
33	Paso Robles		nil	1,435	16,000
34	Independence		nil	2,440	25,000
35	San Luis Obispo		85	2,440	25,000
36	Stockton		200	6,652	71,000
37	Berkeley		120	9,000	96,000
38	Alturas		50	1,435	16,000
39	Napa		75	2,440	25,000
40	Lakeport		60	1,435	16,000
41	Richmond			2,440	25,000
41a	(on city highway)		135	1,000	12,000
42	Hollister		75	2,440	25,000
43	Placerville		65	2,440	25,000
44	El Centro		165	2,440	25,000
45	San Andreas		65	1,435	16,000
46	Santa Cruz		75	2,440	25,000
47	Mariposa		25	1,435	16,000
48	Modesto		150	2,440	25,000
49	Santa Rosa		90	2,440	25,000
50	Ventura		110	2,440	25,000
51	Orovjlle		75	2,440	25,000
52	Salinas		125	2,440	25,000
53	Bridgeport		40	1,694	20,000
54	Monterey		75	2,440	25,000
55	Madera		125	2,440	25,000
56	Santa Barbara		150	2,440	25,000
57	Pomona		200	4,000	42,700
58	Crescent City		42	1,435	16,000
59	Ukiah		100	1,694	18,000
60	Oakland			2,640	49,000
61	Glendale			15,000	150,000
62	Eureka—Garage			2,800	3,700
63	Yreka			2,000	2,700
64	Redding			2,440	25,000
65	Marysville—Garage			2,800	3,700
66	Visalia			500	5,300
67	Merced			5,000	7,000
68	Newhall			1,435	16,700
69	San Bernardino			5,000	50,000
	Totals		$8,207	554,795	$5,102,300

STATE POSTWAR BUILDING CONSTRUCTION PROGRAM

DEPARTMENT OF AGRICULTURE

OVERALL PRIORITY LIST

Priority number	Location	Item	Current estimated cost
1	Yermo	Plant Quarantine Inspection Station	$52,600
2	Benton	Plant Quarantine Inspection Station	13,300
3	Coleville	Plant Quarantine Inspection Station	16,000
4	Stateline	Plant Quarantine Inspection Station	16,000
5	Banning	Standardization Inspection Station	19,600
6	Alturas	Plant Quarantine Inspection Station	13,100
7	Brockway	Plant Quarantine Inspection Station	8,400
8	Tracy (Altamont)	Standardization Inspection Station	6,700
9	Hollister	Standardization Inspection Station	6,700
10	Parker	Plant Quarantine Inspection Station	9,600
11	San Joaquin Valley	Poultry and Animal Disease Diagnostic Laboratory	100,000
12	Southern California	Poultry and Animal Disease Diagnostic Laboratory	100,000
		Subtotal	$362,000

BALANCE OF PROGRAM—DEPARTMENT OF AGRICULTURE

(Not provided for in initial appropriation)

Priority number	Location	Item	Current estimated cost
13	Petaluma	Poultry Disease Laboratory	$64,100
14	Santa Cruz	Poultry Disease Laboratory	66,700
15	Woodfords	Plant Quarantine Inspection Station	4,100
16	Smith River	Plant Quarantine Inspection Station	4,000
17	San Francisco	Branch Laboratory for Chemistry and other units	5,600
18	Los Angeles	Branch Laboratory for Chemistry and other units	6,600
19	Las Cruces	Improvements to Standardization Inspection Station	13,300
20	Castaic	Improvements to Standardization Inspection Station	6,900
21	Yuma	Plant Quarantine Inspection Station	8,500
		Grand Total	$541,800

STATE POSTWAR BUILDING CONSTRUCTION PROGRAM

STATE FAIR—SACRAMENTO AND EXPOSITION PARK—LOS ANGELES

OVERALL PRIORITY LIST

Priority number	*Location*	*Item*	*Current estimated cost*
*1	State Fair	Livestock Coliseum	$706,000
*2	State Fair	Draft and Showhorse Barn	169,500
3	State Fair	Counties Exhibit Building	646,600
4	State Fair	Poultry, Rabbit and Pigeon Building	148,000
5	State Fair	Educational Exhibit Building	540,000
6	Exposition Park (Los Angeles)	Addition to Existing Building	1,250,000
		Subtotal	$3,460,100

* Previously approved by State Board of Control.

BALANCE OF PROGRAM—STATE FAIR—SACRAMENTO

(Not provided for in initial appropriation)

Priority number	*Location*	*Item*	*Current estimated cost*
7	State Fair	State Exhibit Building	$400,000
8	State Fair	Extension of Utilities	141,300
9	State Fair	Illumination for Streets and Buildings	118,800
10	State Fair	Food and Beverage Building	303,400
11	State Fair	Junior Division	274,600
12	State Fair	Women's Building	137,900
13	State Fair	Natural Resources Exhibit	133,000
		Grand Total	$4,969,100

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 7, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly elected the following constitutional officers for the Fifty-sixth (First Extraordinary) Session:

Hon. Charles W. Lyon—*Speaker*
Hon. Thomas A. Maloney—*Speaker pro tempore*
Arthur A. Ohnimus—*Chief Clerk*
Geraldine B. Hadsell—*Minute Clerk*
Willie Ogg—*Sergeant-at-Arms*
Rev. Torrance Phelps—*Chaplain*

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

MOTION TO PRINT COPIES OF PROCLAMATION

Senator Gordon moved that the Secretary of the Senate be authorized to have printed not more than 300 copies of the Governor's Proclamation for the Special Session.

Motion carried.

THE FOLLOWING PROPOSED BILLS WERE PRESENTED, AND REFERRED TO THE COMMITTEE ON RULES

By Senator Hatfield—An act to add Section 10.5 to the County Highway Aid Act of 1945 (Chapters 938 and 952 of the Statutes of 1945), relating to the expenditure of moneys for construction of highways, to take effect immediately.

By Senators Crittenden, Biggar, Slater, and Gordon—An act to provide for the acquisition, establishment, and operation of additional temporary hospital facilities for mental patients in State institutions, making an appropriation therefor, and declaring the urgency of the act, to take effect immediately.

RECESS

At 11.50 a.m., on motion of Senator Seawell, the President declared a recess for the purpose of meeting with the Assembly in Joint Convention.

IN JOINT CONVENTION

ASSEMBLY CHAMBER
SACRAMENTO, Monday, January 7, 1946

At 12.10 p.m., the Senate and the Assembly met in Joint Convention.

SENATE ROLL CALL

Hon. Frederick F. Houser, President of the Senate, directed the Secretary of the Senate to call the roll of the Senators.

The roll was called, and the following answered to their names:

Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—39.

Whereupon the President declared a quorum of the Senate present.

ASSEMBLY ROLL CALL

Hon. Charles W. Lyon, Speaker of the Assembly, directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, and the following answered to their names:

Allen, Anderson, Armstrong, Beal, Beck, Bennett, Berry, Boyd, Brady, Brown, Burke, Burkhalter, Burns, Butters, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Davis, Debs, Dekker, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Emlay, Erwin, Evans, Field, Fletcher, Fourt, Gaffney, Gannon, Geddes, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sawal lisch, Sherwin, Stephenson, Stewart, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—77.

Whereupon the Speaker declared a quorum of the Assembly present.

REGULAR ORDER OF BUSINESS

APPOINTMENT OF SELECT COMMITTEES

The Speaker announced the appointment of Messrs. Middough, O'Day, Mrs. Niehouse, Doyle, and Burns as the Assembly Committee to escort Governor Warren to the Joint Convention.

The President announced the appointment of Senators Seawell, Slater, and DeLap as a Senate Committee to escort Governor Warren to the Joint Convention.

The Speaker announced the appointment of Messrs. Field and Doyle as an escort for Mrs. Earl Warren and daughters, Virginia and Dorothy, and Mrs. Frederick Houser to the rostrum of the Assembly.

Lieutenant Governor Frederick F. Houser announced the appointment of Senators Sutton, Ward, and Mixter as an escort for Mrs. Charles W. Lyon to the rostrum of the Assembly.

REPORT OF JOINT COMMITTEE ON ESCORT

The Joint Committee on Escort, consisting of Senators Seawell, Slater, and DeLap and Assemblymen Middough, O'Day, Niehouse, Doyle and Burns, appointed to wait upon His Excellency, Governor Earl Warren, to inform him that the Joint Convention was now in session, and to escort him to the Joint Convention, appeared at the bar of the Assembly, and announced the presence of His Excellency, Hon. Earl Warren, Governor of the State of California.

Lieutenant Governor Houser presiding.

PRESENTATION OF GOVERNOR

Hon. Frederick F. Houser, President of the Senate, then presented Governor Earl Warren to the Joint Convention.

ADDRESS BY THE GOVERNOR

Governor Earl Warren then proceeded to address the Joint Convention as follows:

Message of Governor Earl Warren, California State Legislature Extraordinary Session, January 7, 1946

I welcome you back to the State Capital to deal—on behalf of the people—with the urgent problems of reconversion.

When you adjourned seven months ago, the European war had been won—but I do not suppose any of us anticipated that the war in the Pacific would end as quickly as it did. I told you last June I desired the benefit of your counsel as the situation developed—and that in all probability I would be asking you to return at about this time. I am happy to see you again—and to undertake with you a job that must be

done if California is to continue as one of the most progressive States in the Union.

One of the most creditable chapters of our State's history was written during the war. Californians did their part in their homes, on their farms, in their shops and offices and factories, and in their government. I think each of us may claim a share of satisfaction in this collective accomplishment.

There was the closest cooperation among the Federal, State and local governmental agencies—and our people were grand. I think it is fitting that I should take this opportunity to thank them all—and I certainly thank you Members of the Legislature—for working together to get the job done. The hours of labor were long, the stresses and strains were constant, but I know you will agree with me that this cooperation and the good will of our people made it a pleasure to serve.

When we think of the war years in retrospect, as we must, if we try to probe the future with care and to any purpose, it seems to me that, in a way, they were comparatively simple years. We had one great objective. Every resource, every effort, every prayer and every plan, was directed toward it. The pattern of living and government was Nationwide. Our duties were fairly well defined—in most instances it did not require great ingenuity for the individual, business, or governmental institutions to determine either their task or the method of performing it.

But now we are largely on our own again. The pattern has changed almost overnight. The controls and the directives in many instances have been abolished and forces that had been largely guided are seeking their own channels once more. This is a time of change, a time of transition, a time of reorientation.

I do not say that we can undertake in California to untangle the affairs of the world or the affairs of the Nation. To do so is not our direct responsibility. But I do say that we ought not to sit by simply because the responsibility is not localized in the State. What our country is able to do concerning National problems—yes, what success the world achieves in dealing with universal questions—depends at least to some extent on action in the States and communities.

Many of them have their roots in the States. Their solution can start at the same source.

This is so in striving for the happy and useful readjustment of our war veterans—and particularly the younger veteran—to community life. It is true in the housing emergency. It is true of employment, urban redevelopment, racial relations, public health and safety, education, and the conservation of natural resources. In these fields, we, as a State, have not only a responsibility—we have a challenge to make a realistic contribution to the ultimate solution of the Nation's problems.

They will not solve themselves. Inaction and inertia will only add to the difficulties and confound the confusion.

Especially in California we dare not be guilty of this. Our tremendous population increase—our war industries that blossomed so quickly during the war and threaten to fade even more rapidly after it—make it impossible for us to remain static. We shall either march forward or go backwards. We can not stand still, lest we disintegrate. The instinct of self-preservation alone should spur us to action, and to cooperation.

What we do here concerns every family in the State. Every home in California is watching to see how you and I measure up to our responsibility. It is a responsibility too vast and pressing and important to permit of selfishness or narrow partisanship. It demands the best that is in us. It demands our determination and our humility.

You will find 53 items on the Agenda. I trust you will not let that disturb you, because many of them have been included only to clarify the present application of laws that were enacted to meet war conditions. These should not provoke controversy, or even prolonged discussion. At all events, practically all the items were suggested by one or more Members of the Legislature. Many were simultaneously urged by leaders in other walks of life.

As to the larger issues, I have not limited the "call." I shall submit detailed recommendations as required of the Governor by the Constitution, of course, but the subjects have been left open for your consideration and action. I realize that some people might want them strictly limited—but, as you know, I always have believed that you and I have a joint responsibility in dealing with all matters of the public interest. I believe in sharing the responsibility and the credit for whatever we may be able to accomplish.

Housing

The most critical problem facing California is housing. You are asked first to deal with its emergency aspect—a shortage of housing that has reached serious proportions. Thousands of families do not know from day to day whether they are going to have a roof over their heads. Men who fought in foxholes have returned to find less of a home here than they had Over There.

The National and State Governments as well as the local communities must do something to remedy the situation. It is as urgently our duty to help these people as if they had been dispossessed by fire or flood or other calamity.

Most of the people who came to California to work in the war plants are remaining here. The wave of immigration from the eastern States is continuing almost unabated. Half a million of our veterans have returned to civilian life. Thousands of others

who saw California for the first time when they trained here are coming back to live in our State. This adds up to a population increase of two million people.

During the depression, new housing was not built because the purchasing power was lacking; during the war, because the armed forces had to have all available materials and manpower. The shortage of housing in California, therefore, developed almost in direct proportion to our population increase.

We can't eliminate the shortage, but we can help. Obviously, materials are going to be scarce a long time. That is a barrier the State Government can not sweep away. But, in the interests of public health and safety—and in our determination to do everything we can to reestablish our war veterans in civilian life—we are obligated to make every potential housing unit suitable for occupancy.

Every privately owned building that is habitable—and some, I am sorry to say, that are not—is in use, but the Federal Government owns thousands of structures that can be adapted for temporary use as fairly satisfactory housing with a minimum of expense, time and material required for converting them.

I have explored the matter with the Federal Government and have been assured by its representatives that these buildings will be made available in our emergency.

To assist the local communities in obtaining some of this emergency housing, I recommend that you make an appropriation to help them finance the remodeling and where necessary the moving of the buildings.

Beyond the emergency, adequate housing should be a continuing concern of the State. The State should have the means of knowing what the housing situation is at all times. It should be in a position to cooperate with local agencies, the Federal Government, and private enterprise to improve the situation in every proper way. I hope that in accordance with my recommendation at the last regular session you will see fit to establish a State housing commission, or enlarge the functions of the Immigration and Housing Commission, to accomplish these purposes.

Urban Redevelopment

We will feel the housing shortage in California for several years. It is one of our growing-pains. I earnestly hope, however, in meeting the situation our harrassed communities will not adopt expedients that will eventually create slum conditions. At your last session, you showed concern for the proper development of our cities by passing the Urban Redevelopment Act. You thereby established that the State has a direct interest in wiping out slum areas.

Nationally and in California, we may expect gigantic activity in home building for the next five or ten years. It is in the public interest to see that the program is beneficial in every way. The cooperation of the State with the local communities and with private industry can accomplish this by making the Urban Redevelopment Act accomplish its intended purpose. I recommend to you that an adequate appropriation be made available to the cities and counties for implementing this act, and that you take such other steps as may be necessary to insure its functioning.

The necessity for this must be obvious to every thinking person. Many residential areas in our industrial districts have been deteriorating for years. They can not be saved by patching them up. Major surgery is required. If we do not use it, we shall find in a few years that the cities of Japan and Germany destroyed by our armies will have risen from the rubble to be more livable than our own.

Public Works

It is also time for us to determine what we are going to do with the public works moneys which we have set aside during the past two and one-half years. The needs of the State have been very carefully studied, and my report will be presented to you in a special message. In the meantime, I think it should be borne in mind that you and I have an unprecedented opportunity to bring our State institutions up to decent standards. We haven't had such an opportunity in California for 15 years.

As I have reported to you before—and as many of you know from personal inspection—our hospitals for the mentally ill are intolerably overcrowded and obsolete. Our correctional institutions are inadequate—especially those to which we have to send boys and girls. Their needs are more apparent daily. Our university and State colleges are becoming so crowded that soon they may have to deny many of our young people, including war veterans, their legal right to a higher education. Many public school districts are casualties of the war, and need help. Life and property are threatened by flood waters and must be protected. We are committed to this responsibility under the Water Resources Act passed at your last session. We are spending money on rentals for State agencies that could be saved if we had our own buildings.

Provision for these necessary improvements in the facilities of the State of California should be made now—while we have the money. If we don't do it now, but spend the money for other purposes, the State will drop farther behind than ever in providing for the requirements of its growing population.

Full Employment

Another tremendously important issue on which I hope this Reconversion Legislature will act has to do with employment in our State.

A high level of employment is vital to the welfare of California. It is the hope of business, and the mainstay of the people. It is the basis of maximum purchasing power, and the core of the general welfare. The well-being of our families, their standard of living, and their chance to participate, both as workers and consumers—in the enjoyment of the goods and services which our free economy can provide—depend upon it.

But bitter experience has taught us that vagaries develop in the economic system which, if not detected and dealt with in time, can suddenly and disastrously wreck our plans and destroy our savings. It is beyond the ability of one industry, one business, or one workman to discover and appraise these trends. They are the result of innumerable factors that have to be carefully catalogued and constantly interpreted.

The State has the means of doing this job, and, in my opinion, the responsibility. It is possible for Government to assemble the facts of economic life and convert them into a barometer of production and employment. Then, face to face with the facts, the Legislature and the Governor must assume the responsibility of doing whatever can be done in conjunction with private industry to remedy the situation. We can no longer afford to drift on nothing more substantial than optimism based upon guesswork and conjecture—and periodically be wrecked on the rocks of unemployment, bankruptcy and hardship.

We have already scratched the surface in such studies through the activities of the Reconstruction and Reemployment Commission. But all of us realize that these efforts were makeshift compared with the need for facts. If our activities are to be fully effective they must be conducted as an understood and defined responsibility and have the full sanction of law. I am therefore recommending that such action be taken by the Legislature.

This would relieve the Reconstruction and Reemployment Commission of what it has been trying to do along these lines as part of its other activities. It would free the commission to act as a stimulating agency for business and industry, which function should be carried on during this period of reconversion.

Agricultural Research

This same principle of research should be applied to agriculture, if a high level of employment is to be maintained there also. Agriculture is the backbone of our economy, and employs hundreds of thousands of people. For the past two years, we have led the Nation in total value of soil crops. If that position of eminence is to be maintained, we must help agriculture to exploit every possible outlet and use of our farm products.

During the war, the markets of the Nation cried for everything we could grow and ship, but from now on we can expect to be in fierce competition with the other States. The selling job belongs to private enterprise. The research that will develop new products and new uses of the things we can produce is a job of the State. We should not wait to start it. It should have the attention of this Reconversion Legislature. It will mean jobs.

Race Relations

Closely connected with the question of a high level of employment is the opportunity of everyone to obtain employment without regard to color, creed or race. No matter what else we do to simulate business or create jobs, if that opportunity is not open to all like—depending only on their ability to perform—we can not have either a sound economy or a normal, happy life in our State.

California is a cosmopolitan State. Here the United Nations Charter was born. The charter is based upon the protection of human rights, the most fundamental of which is the opportunity to earn a living. At your last session, I recommended that serious consideration be given to the question of economic equality. I again urge you to do so, and I recommend that you enact legislation which will guarantee economic opportunity through a Fair Employment Practices Act.

Unemployment Compensation

Another matter closely allied to the production and employment problem is the compensation received by our workers when unemployed. They are protected now only if the reasons for the unemployment are economic. I am sure everybody will agree that a person is in greater need of unemployment compensation when he is ill than when he is well, and I recommend that you provide for it under our unemployment compensation laws.

California can well afford to do this. It will rebound to the benefit of everyone, because each dollar so disbursed will find its way not only into the purse of the stricken worker but eventually into the tills of every business in the State. We have built up a tremendous reserve in this fund amounting to $733,000,000. It increased $112,000,000 last year. California is one of only four States that require the workman to contribute to their unemployment compensation funds, and over $220,000,000 of our present reserve was contributed by them. It is the considered opinion of our Department of Employment that the California fund will be adequate for all foreseeable needs, and that these disability payments can be made without endangering the fund's solvency and without requiring additional contributions from either employer or employee.

Veteran Services

I think all of us are justly proud that without waiting for the end of the war, California prepared for the time when its veterans would be returning to civilian life. Under our home and farm purchase acts, our educational program for veterans and their widows and orphans, and by means of other services rendered through veterans' organizations, counties and the newly created California Veterans Commission, we have made a good start, but it was only a start. Our obligations in this field are continuing ones. We must keep up to date with them. I have therefore made the call sufficiently broad to include any legislation relating to veterans.

I believe that you should review all veterans services, to determine what can be done to improve or expand them in the light of experience and in consonance with the newly amended Federal GI Bill of Rights.

One of the most important things that can be done for our veterans is to assist them in acquiring further education and vocational training. Hundreds of thousands entered the service directly from schools and colleges, and have never had an opportunity to learn a civilian skill that would assist them in getting a job or advancing after they found one. These boys must not be left in this situation. They must be helped either by the Federal Government or the State to obtain more education, or to equip themselves while on the job for a better position. I, therefore, consider it of the utmost importance to our returning veterans not only that we review our educational program but also that there be an expansion of apprentice training, on-the-job training and vocational education. Under Federal legislation, the veteran who enters industry as an apprentice or who enters business or a profession for on-the-job training is entitled to subsistence allowances to supplement his low income during the training period. The training is afforded by the State. These opportunities therefore can not be turned to real advantage for veterans unless our apprenticeship and vocational training programs, both on and off the job, are comprehensive and available in all parts of the State.

Of 700,000 Californians who entered the armed forces, 400,000 had returned by November 30th and 94,000 more came back in December. It is estimated that 300,000 veterans from other States will settle here—already 186,000 have done so. The retraining of these veterans and of our war workers is one of the most important contributions we can make to their ultimate and successful absorption into peacetime employment. It is one of the greatest contributions we can make to our State. If California is to retain the war industry which was established here—if we are to develop the natural resources of our State—we must be a State of skilled workers, and this is one way of accomplishing it.

Public Health

At the regular session, I recommended that a survey be made of hospital facilities in California so that we might be in a position to take advantage of Federal legislation for aiding the States in this field. The survey was not authorized, but the Congressional grant is imminent. If we are to benefit by the Federal legislation, a hospital survey must be made, and we must have an agency empowered to deal with the Federal Government concerning it. California is badly in need of more hospital beds. If an epidemic such as the influenza after the last war should descend on us, the hospital shortage would be disastrous.

It is gratifying to be able to report to you that we now have an opportunity to alleviate to some extent the overcrowded condition of our hospitals for the mentally ill. The Federal Government has declared the Hammond General Hospital near Modesto to be surplus property. This is available to us for use until we are able to construct new permanent State hospitals. I recommend that we lease and operate it immediately.

In addition, we must do everything else we can to relieve the conditions of overcrowding in the mental hospitals, and I am of the opinion that there are two ways in which we can help the situation materially. One is by establishing more mental hygiene clinics where people can be treated for mental illness both before suffering a complete breakdown requiring hospitalization, and after being released from a State hospital as improved. Another is by increasing the amount that the Department of Mental Hygiene may pay for the care of patients who are sufficiently improved to be released from the hospital.

The present amount is inadequate, and after the war is officially declared at an end it will become more inadequate when, under the present statute, the rate will revert to $25 per month. People will not accept patients for such an amount, because it is not in accord with present day living costs. The result is that many patients who should be released for their own benefit must remain in a hospital, at greater expense to the State.

I urge you also to direct your attention to the need for medical education facilities. A study of the situation will, I am sure, convince you, as it has me, that we should complete the University of California medical center at San Francisco and construct another such center at the University of California at Los Angeles. A survey of

southern California and the United States generally has revealed that no area in the country comparable to Los Angeles in population has so few medical educational facilities. I regard it as of the utmost necessity that this section of our State be provided with a modern and complete medical center.

Child Care Centers

The Federal Government has announced that after March 1st there will be no more Lanham Act Funds for the operation of Child Care Centers, and under our present statute no State or local funds may be spent for their maintenance. Many of the children cared for in these centers are the children of veterans who are still overseas and whose wives are working to help maintain the family. It is imperative that the Legislature determine immediately what should be done as long as this condition exists, and what the permanent policy of the State towards these institutions is to be.

Aviation Commission

At your last session, I recommended the establishment of an aviation commission to plan for a State system of airports, and to cooperate with the Federal and local governments in the development and regulation of aviation. If California is to remain an airplane manufacturing center, and retain its importance on the air routes of the world, such a commission is essential. I again urge your favorable consideration of the proposal.

Highways

I have not included in the call any reference to the State's highways and their needs, although I have previously called your attention to the urgent necessity for action concerning them. However, I am informed that your committee is not yet ready to report. If it is able to report while you are in session, and if you desire to take up the report, I shall be happy to amend the call for this purpose.

Because most of the subjects which have been included in the call of this Special Session are not new to the Legislature, I will not transgress on your time to discuss them in detail today. Concerning those of paramount importance I shall transmit special messages to you later.

I have said to you that the work of this Special Session should be undertaken with determination and humility. By humility I mean that we ought to approach it in the spirit that the other fellow is going to try as hard as we will ourselves to do his level best—and that if we jointly succeed, there will be ample satisfaction in it for everyone.

But if we allow selfishness to get the upper hand—if we lack vision, or lose it in dissension—there can be satisfaction for none. Then those who have trusted us will have suffered because of our inability to submerge ourselves in the common cause.

I am convinced that we *can* work together. We have done so before—and I again offer you every facility of my office, as well as my personal cooperation—to get things done.

When I say this, I want you to know that I appreciate the fact that in an organization as large as State Government, different approaches to the solution of a problem are only natural—though our objectives are the same.

It is only common sense, then, for us to be considerate of the proposals of others and to try to distill from all our views the best that is in each of them. The only intolerance we have a right to show is an intolerance of the idea that nothing can be done. One of the most deadly influences in government is the viewpoint that merely because a proposal can not guarantee perfection, it should not even be attempted. Perfection is a goal towards which we should always strive, but we must condition ourselves to a realization that it is rarely achieved, or we shall never get anything done at all.

I bespeak your cooperation—not just because I think it will make the job easier—but because I think it will serve the people of California best. And that, in my opinion, is what we are here for.

PRESENTATION OF MRS. WARREN AND MRS. HOUSER

Speaker Lyon presented Mrs. Earl Warren and daughters, Virginia and Dorothy, and Mrs. Frederick Houser to the Joint Convention.

ADJOURNMENT OF JOINT CONVENTION

At 1 p.m., there being no further business, the Speaker of the Assembly declared the Joint Convention adjourned sine die.

IN SENATE

At 1.05 p.m., the Senate reconvened.

Lieutenant Governor Frederick F. Houser, President of the Senate, presiding.

Secretary Joseph A. Beek at the desk.

ADJOURNMENT

At 1.05 p.m., on motion of Senator Seawell, the President declared the Senate adjourned until 11 a.m., Tuesday, January 8, 1946.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-SIXTH (FIRST EXTRAORDINARY) SESSION

SENATE DAILY JOURNAL

SECOND LEGISLATIVE DAY
SECOND CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO
Tuesday, January 8, 1946

The Senate met at 11 a.m.
Hon. Frederick F. Houser, President of the Senate, presiding.
Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Biggar, Breed, Brown, Burns, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Kuchel, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Slater, Sutton, Swing, Tenney, Ward, and Weybret—37.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Dr. Clarence A. Kircher.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Collier, on motion of Senator Seawell, due to legislative business.

Senator Shelley, on motion of Senator Seawell, due to legislative business.

Senator Keating, on motion of Senator Seawell, due to illness.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Sutton, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Harold Thompson of Maxwell.

On request of Senator Fletcher, the privilege of the floor of the Senate Chamber for this day was unanimously extended to William P. Mayer of San Diego.

COMMUNICATIONS

The following communication was received, read, and ordered printed in the Journal:

Reading of the Bible in the Public Schools

WHEREAS, Juvenile delinquency is one of the major social problems of today, and an effective way of solving it is imperative, and

WHEREAS, Reverence and development of moral character must be inculcated through training started early in life, it becomes necessary to request that the Bible be read in the public schools in order to fulfill the needs of the total child; therefore, be it

Resolved, That the Executive Board of the California Federation of Women's Clubs urge that the California State Legislature enact a law which will require that the Bible shall be read daily without comment in the public schools of the State; and be it further

Resolved, That copies of this resolution be sent to the Governor, the Presiding Officer of the Senate and the Assembly, the Senators and Assemblymen and the State Superintendent of Public Instruction; and be it further

Resolved, That the Governor be requested to include this on the agenda for the special session of the Legislature.

MRS. BENJAMIN F. WARMER, President, C. F. W. C.
MRS. ERNEST O. LEE, Corresponding Secretary

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 8, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 1
Assembly Concurrent Resolution No. 2
Assembly Joint Resolution No. 1

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following resolutions were read:

Assembly Concurrent Resolution No. 1—Relative to the passing of Philip A. Stanton.

Above resolution ordered placed on file.

Assembly Concurrent Resolution No. 2—Relative to the passing of Walter Friar Dexter.

Above resolution ordered placed on file.

Assembly Joint Resolution No. 1—Relative to memorializing the General Assembly of the United Nations Organization to reconsider the recommendations of its Preparatory Commission, and to select the City of San Francisco, State of California, or other suitable site within said State, as capital of the United Nations Organization.

Above resolution ordered placed on file.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 8, 1945

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Concurrent Resolution No. 2

And reports the same correctly engrossed.

SEAWELL, Chairman

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following resolution was offered:

Senate Concurrent Resolution No. 3: By Senator Breed—Relative to approving a certain amendment to the charter of the City of San Leandro, a municipal corporation of the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at the special municipal election held therein on the twentieth day of November, 1945.

Request for Unanimous Consent

Senator Breed asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 3, at this time, for consideration.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 3

Senate Concurrent Resolution No. 3—Relative to approving a certain amendment to the charter of the City of San Leandro, a municipal corporation of the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at the special municipal election held therein on the twentieth day of November, 1945.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Crittenden, Cunningham, Deuel, Dilworth, Donnelly, Dorsey, Fletcher, Hatfield, Hulse, Jespersen, Judah, Kuchel, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Salsman, Seawell, Slater, Sutton, Swing, Tenney, Ward, and Weybret—31.

NOES—None.

Resolution ordered transmitted to the Assembly.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was offered:

Senate Concurrent Resolution No. 4: By Senator Crittenden—Relative to approving an amendment to the charter of the City of Stockton, State of California, ratified by the qualified electors thereof, at a general municipal election held therein on Tuesday, October 9, 1945.

Request for Unanimous Consent

Senator Crittenden asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 4, at this time, for consideration.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 4

Senate Concurrent Resolution No. 4—Relative to approving an amendment to the charter of the City of Stockton, State of California, ratified by the qualified electors thereof, at a general municipal election held therein on Tuesday, October 9, 1945.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Crittenden, Cunningham, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Kuchel, Mayo, McBride, McCormack, Mixter, Parkman, Quinn, Salsman, Seawell, Slater, Sutton, Swing, Tenney, Ward, and Weybret—33.
NOES—None.

Resolution ordered transmitted to the Assembly.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was offered:

Senate Concurrent Resolution No. 5: By Senator Seawell—Relative to distribution of legislative printing.

Request for Unanimous Consent

Senator Seawell asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 5, at this time, for consideration.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 5

Senate Concurrent Resolution No. 5—Relative to distribution of legislative printing.

Resolution read.
The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Kuchel, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Salsman, Seawell, Slater, Sutton, Tenney, Ward, and Weybret—34.
NOES—None.

Resolution ordered transmitted to the Assembly.

THE FOLLOWING PROPOSED BILLS WERE READ, AND REFERRED TO COMMITTEE ON RULES

By Senators Dilworth, Mixter, Quinn, Kuchel, Hatfield, Biggar, Tenney, Ward, and Desmond—Relative to memorializing the President and the Congress of the United States regarding the release from the armed forces of members of the California Highway Patrol.

By Senator Hatfield—An act to validate the organization, boundaries, governing officers or boards, acts, proceedings, and bonds of public bodies, including the annexation or inclusion of territory into such bodies, to take effect immediately.

By Senators Biggar, Carter, Dillinger, Fletcher, and Gordon—An act making an appropriation for the acquisition of land for State forests.

By Senator Tenney—An act to provide for alleviation of the housing shortage and to repeal an act entitled "An act to aid the prosecution of the war by authorizing housing authorities to develop or administer projects to provide housing for persons engaged in war industries or activities and to cooperate with the Federal Government in making

housing available for such persons; to grant certain powers to public bodies," approved May 27, 1943, to take effect immediately.

By Senator Tenney—An act to create the California Housing and Redevelopment Authority to undertake the assistance of housing projects and redevelopment projects, to define the powers and duties of such California Housing and Redevelopment Authority and local housing authorities and to provide for the exercise of such powers, including acquiring property, borrowing, granting, and lending money, issuing bonds and other obligations and giving security therefor, to appropriate funds to be used by said authority to carry out its purposes.

By Senator Tenney—An act making an appropriation for grants to political subdivisions and educational institutions for the purpose of assisting said political subdivisions and institutions to provide temporary housing for distressed families of servicemen, for veterans and their families, for single veterans attending educational institutions and for families of persons being evicted or about to be evicted from their places of residence through acquisition of such place of residence by a public body.

By Senator Mixter—An act to validate the organization, boundaries, governing officers or boards, acts, proceedings, and bonds of public bodies, to take effect immediately.

By Senator Biggar—An act to provide for the construction and purchase of newly constructed urban and suburban dwelling accommodations, for the acquisition for occupancy of farms, for the creation of jobs for veterans of World Wars I and II thereby; to provide for the guarantee by the State of part or all of loans made by qualified lenders in the construction or purchase of such homes or the acquisition and occupancy of such farms, authorizing lenders to make such loans, and authorizing the Veterans' Welfare Board to put into operation facilities to service such loans, and to add Section 12443 to the Insurance Code, relating to insurance in aid of said purposes, and making an appropriation.

By Senator McCormack—An act to extend the effective date of an act entitled "An act relating to the performance by the Department of Public Works of highway and other cooperative work for the Federal Government, making an appropriation for administrative expenses, declaring the urgency thereof, and providing that this act shall take effect immediately," approved February 10, 1943, as amended.

By Senator Breed—An act to amend Section 15n of the Municipal Utility District Act, relating to municipal utility districts, authorizing the temporary use of utility district funds for special districts for sewage disposal purposes, declaring the urgency thereof and providing that this act shall take effect immediately.

REQUEST FOR UNANIMOUS CONSENT

Senator Kuchel asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 1, at this time, for consideration.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 1

Assembly Concurrent Resolution No. 1—Relative to the passing of Philip A. Stanton.

Resolution read, and presented by Senator Kuchel.

Resolution adopted by a rising vote of the following Senators:

Senators Biggar, Breed, Brown, Burns, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Kuchel, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Slater, Sutton, Swing, Tenney, Ward, and Weybret—37.

Resolution ordered transmitted to the Assembly.

REQUEST FOR UNANIMOUS CONSENT

Senator Tenney asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 2, at this time, for consideration.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 2

Assembly Concurrent Resolution No. 2—Relative to the passing of Walter Friar Dexter.

Resolution read, and presented by Senator Tenney.

Resolution adopted by a rising vote of the following Senators:

Senators Biggar, Breed, Brown, Burns, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Kuchel, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Slater, Sutton, Swing, Tenney, Ward, and Weybret—37.

Resolution ordered transmitted to the Assembly.

REQUEST FOR UNANIMOUS CONSENT

Senator Seawell asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 1, at this time, for consideration.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 1

Assembly Joint Resolution No. 1—Relative to memorializing the General Assembly of the United Nations Organization to reconsider the recommendations of its Preparatory Commission, and to select the City of San Francisco, State of California, or other suitable site within said State, as capital of the United Nations Organization.

Resolution read, and presented by Senator Seawell.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Carter, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Kuchel, McBride, McCormack, Mixter, Parkman, Powers, Rich, Salsman, Seawell, Slater, Sutton, Swing, Tenney, Ward, and Weybret—32.

NOES—None.

Resolution ordered transmitted to the Assembly.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was offered:

Senate Concurrent Resolution No. 6: By Senator Quinn—Relative to approving certain amendments to the charter of the City of Eureka, a municipal corporation in the County of Humboldt, State of California, voted for and ratified by the qualified electors of said city at the general municipal election held therein on the eighteenth day of June, 1945.

Request for Unanimous Consent

Senator Quinn asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 6, at this time, for consideration.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 6

Senate Concurrent Resolution No. 6—Relative to approving certain amendments to the charter of the City of Eureka, a municipal corporation in the County of Humboldt, State of California, voted for and ratified by the qualified electors of said city at the general municipal election held therein on the eighteenth day of June, 1945.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Carter, Crittenden, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Hulse, Jespersen, Judah, Kuchel, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Slater, Sutton, Swing, Tenney, Ward, and Weybret—30.

NOES—None.

Resolution ordered transmitted to the Assembly.

ADJOURNMENT

At 11.30 a.m., on motion of Senator Seawell, the President declared the Senate adjourned until 11 a.m., Wednesday, January 9, 1946, out of respect to the memory of the late Philip A. Stanton, and the late Walter Friar Dexter.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-SIXTH (FIRST EXTRAORDINARY) SESSION

SENATE DAILY JOURNAL

THIRD LEGISLATIVE DAY
THIRD CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO
Wednesday, January 9, 1946

The Senate met at 11 o'clock a.m.

Hon. Jerrold L. Seawell, President pro tempore of the Senate, presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—39.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Dr. Clarence A. Kircher.

LEAVES OF ABSENCE FOR THE DAY

The following Senator was granted leave of absence for the day:

Senator Desmond, on motion of Senator Seawell, due to legislative business.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Slater, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Supervisor James Lyttle and Richard Watkins, Chamber of Commerce, Sonoma; and Supervisor Lloyd Cullen of Santa Rosa.

On request of Senator Powers, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. S. W. MacDonald of Westwood.

On request of Senator Brown, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Henry A. Rose of Shoshone.

On request of Senator Fletcher, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Walter Hefoner, President, State College of San Diego.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 9, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Concurrent Resolution No. 3
Senate Concurrent Resolution No. 4
Senate Concurrent Resolution No. 5
Senate Concurrent Resolution No. 6

And reports the same correctly engrossed.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 8, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Concurrent Resolution No. 1

And reports the same correctly engrossed.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 8, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Proposed Senate Bill No. 1

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Finance.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 8, 1946

MR. PRESIDENT: Your Committee on Rules, to which were referred:

Proposed Senate Bill No. 6
Proposed Senate Bill No. 7
Proposed Senate Bill No. 8

Has had the same under consideration, and finds that same are within the purview of the call, and directs that they be referred to the Committee on Governmental Efficiency.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 8, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Proposed Senate Bill No. 5

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Natural Resources.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 8, 1946

MR. PRESIDENT: Your Committee on Rules, to which were referred:

Proposed Senate Bill No. 9
Proposed Senate Bill No. 4

Has had the same under consideration, and finds that same are within the purview of the call, and directs that they be referred to the Committee on Judiciary.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 8, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Proposed Senate Bill No. 12

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Local Government.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 8, 1946

MR. PRESIDENT: Your Committee on Rules, to which were referred:

Proposed Senate Bill No. 11
Proposed Senate Bill No. 2

Has had the same under consideration, and finds that same are within the purview of the call, and directs that they be referred to the Committee on Transportation.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 8, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Proposed Senate Bill No. 3

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Institutions.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 8, 1946

MR. PRESIDENT: Your Committee on Rules, to which were referred:

Proposed Senate Joint Resolution No. 1

Proposed Senate Bill No. 10

Has had the same under consideration, and finds that same are within the purview of the call, and directs that they be referred to the Committee on Military and Veterans Affairs.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following bills were introduced, and read the first time:

Senate Bill No. 1: By Senator Seawell—An act making an appropriation for the contingent expenses of the Senate, without regard to fiscal years, including committee expenses, to take effect immediately.

Referred to Committee on Finance.

Senate Bill No. 2: By Senator Hatfield—An act to add Section 10.5 to the County Highway Aid Act of 1945 (Chapters 938 and 952 of the Statutes of 1945), relating to the expenditure of moneys for construction of highways, to take effect immediately.

Referred to Committee on Transportation.

Senate Bill No. 3: By Senators Crittenden, Biggar, Slater, and Gordon—An act to provide for the acquisition, establishment, and operation of additional temporary hospital facilities for mental patients in State institutions, making an appropriation therefor, and declaring the urgency of the act, to take effect immediately.

Referred to Committee on Institutions.

Senate Bill No. 4: By Senator Hatfield—An act to validate the organization, boundaries, governing officers or boards, acts, proceedings, and bonds of public bodies, including the annexation or inclusion of territory into such bodies, to take effect immediately.

Referred to Committee on Judiciary.

Senate Bill No. 5: By Senators Biggar, Carter, Dillinger, Fletcher, and Gordon—An act making an appropriation for the acquisition of land for State forests.

Referred to Committee on Natural Resources.

Senate Bill No. 6: By Senator Tenney—An act to provide for alleviation of the housing shortage and to repeal an act entitled "An act to aid the prosecution of the war by authorizing housing authorities to develop or administer projects to provide housing for persons engaged in war industries or activities and to cooperate with the Federal Government in making housing available for such persons; to grant certain powers to public bodies," approved May 27, 1943, to take effect immediately.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 7: By Senator Tenney—An act to create the California Housing and Redevelopment Authority to undertake the assistance of housing projects and redevelopment projects, to define the powers

and duties of such California Housing and Redevelopment Authority and local housing authorities and to provide for the exercise of such powers, including acquiring property, borrowing, granting, and lending money, issuing bonds and other obligations and giving security therefor, to appropriate funds to be used by said authority to carry out its purposes.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 8: By Senator Tenney—An act making an appropriation for grants to political subdivisions and educational institutions for the purpose of assisting said political subdivisions and institutions to provide temporary housing for distressed families of servicemen, for veterans and their families, for single veterans attending educational institutions and for families of persons being evicted or about to be evicted from their places of residence through acquisition of such place of residence by a public body.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 9: By Senator Mixter—An act to validate the organization, boundaries, governing officers or boards, acts, proceedings, and bonds of public bodies, to take effect immediately.

Referred to Committee on Judiciary.

Senate Bill No. 10: By Senator Biggar—An act to provide for the construction and purchase of newly constructed urban and suburban dwelling accommodations, for the acquisition for occupancy of farms, for the creation of jobs for veterans of World Wars I and II thereby; to provide for the guarantee by the State of part or all of loans made by qualified lenders in the construction or purchase of such homes or the acquisition and occupancy of such farms, authorizing lenders to make such loans, and authorizing the Veterans' Welfare Board to put into operation facilities to service such loans, and to add Section 12443 to the Insurance Code, relating to insurance in aid of said purposes, and making an appropriation.

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 11: By Senator McCormack—An act to extend the effective date of an act entitled "An act relating to the performance by the Department of Public Works of highway and other cooperative work for the Federal Government, making an appropriation for administrative expenses, declaring the urgency thereof, and providing that this act shall take effect immediately," approved February 10, 1943, as amended.

Referred to Committee on Transportation.

Senate Bill No. 12: By Senator Breed—An act to amend Section 15n of the Municipal Utility District Act, relating to municipal utility districts, authorizing the temporary use of utility district funds for special districts for sewage disposal purposes, declaring the urgency thereof and providing that this act shall take effect immediately.

Referred to Committee on Local Government.

Senate Joint Resolution No. 1: By Senators Dilworth, Mixter, Quinn, Kuchel, Hatfield, Biggar, Tenney, Ward, and Desmond—Relative to memorializing the President and the Congress of the United States regarding the release from the armed forces of members of the California Highway Patrol.

Referred to Committee on Military and Veterans Affairs.

RESOLUTIONS

The following resolutions were offered:

By Senators Jespersen and Swing:

Senate Resolution No. 13

Relating to adjournment of the Senate in respect to the memory of Hiram W. Johnson

WHEREAS, on August 6, 1945 the death of Hiram W. Johnson took from the world one of its greatest and most steadfast statesmen; and

WHEREAS, Hiram W. Johnson, who came to political leadership in California at a time when the people were vigorously reasserting that Government should truly serve all the people, and was elected Governor of California for two terms; and

WHEREAS, During the time he held that high office he supported the enactment of fundamentally forward looking measures which form the foundation of trends which have since that time maintained the State of California in a position of leadership among the States of the Union in legislation for the improvement of public administration for the benefit of all citizens; and

WHEREAS, During his many terms of office as United States Senator and while confronted with many world problems, he still devoted himself to legislation for the construction of irrigation and reclamation projects and other improvements vital to the West; and

WHEREAS, He will be accounted in history as a foremost leader in his time in the advancement and progress of our State, and as one of California's most illustrious men; now, therefore, be it

Resolved by the Senate of the State of California, That when this Senate this day adjourns it shall do so in respect to the memory of Hiram W. Johnson, late United States Senator from California; and be it further

Resolved, That the Secretary of the Senate is directed to convey to the family this expression of tribute from the Senate of the State of California.

Resolution read, and adopted by a rising vote of the following Senators:

Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—39.

By the Committee on Rules:

Senate Resolution No. 14

Resolved, That the Controller be and he is hereby ordered and directed to deliver warrants for members and officers of the Senate to the Sergeant-at-Arms of the Senate, or to such person as the Sergeant-at-Arms may designate, and the Sergeant-at-Arms of the Senate, or such person as he may designate, is directed to receipt to the Controller for such warrants.

Resolution read and adopted.

President of the Senate Presiding

At 11.23 a.m., Hon. Frederick F. Houser, President of the Senate, presiding.

THE FOLLOWING PROPOSED BILLS WERE READ, AND REFERRED TO COMMITTEE ON RULES

By Senator Slater—An act to validate the organization, boundaries, governing officers or boards, acts, proceedings, and bonds of public bodies, to take effect immediately.

By Senator Hatfield—An act making an appropriation to the State Fire Marshal to carry out the provisions of Chapters 727 and 728, Statutes of 1945, to take effect immediately.

By Senator DeLap—An act amending Section 634 of the Welfare and Institutions Code, relating to the appointment, selection, and removal, and term of office of probation officers, assistant probation officers, deputy probation officers and of superintendents, matrons and other employees of detention homes.

By Senator Biggar—An act to provide dwelling accommodations, to set up ways and means of economically financing homes, creating jobs, financing of home development projects and authorizing the creation of the California State Home Mortgage and Loan Guaranty Commission as a department of the State of the State of California and to provide for the issuance of revenue bonds and use of the proceeds thereof by such commission in financing homes and home development projects for California citizens, particularly war veterans, including provisions for the issuance of mortgage insurance by adding Section 12443 to the Insurance Code, which addition is in aid of the aforesaid purposes, and making an appropriation.

By Senator Swing—An act to repeal Section 38g of the Alcoholic Beverage Control Act, relating to the authority of the State Board of Equalization to regulate by rule the wholesale marketing and distribution of beer.

By Senators Tenney, Quinn, Dilworth, Mixter, and Hatfield—An act to amend Sections 18973, 19057, 19533, and 19534 of, and to add Sections 19201 and 19705 to, the Government Code, relating to veterans preference in State civil service.

By Senators Quinn, Ward, Desmond, Tenney, Dilworth, Hatfield, Mixter, DeLap, and Biggar—An act to add Article 5A, comprising Sections 993 to 994.3 inclusive, to Chapter 6 of Division 4 of the Military and Veterans Code, authorizing the creation of a debt or debts, liability or liabilities, through the issuance and sale of State bonds, for the single object of creating a fund to provide farm and home aid for veterans in accordance with the provisions of the Veterans Farm and Home Purchase Act of 1943; defining the powers and duties of said committee and of the Veterans' Welfare Board and other State officers in respect to the administration of the provisions hereof; providing ways and means, exclusive of loans, for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures; appropriating money for the expense of preparing and of advertising the sale of bonds herein authorized to be issued; and providing for the submission of this act to a vote of the people at the general election to be held in the month of November, 1946.

By Senators Quinn, Mixter, Dilworth, Hatfield, Biggar, Tenney, Desmond, Kuchel, and Ward—An act to amend Sections 985.5, 986.3, 986.4, and 986.5 of the Military and Veterans Code, relating to farm and home purchases by veterans of World War II.

By Senators Quinn, Tenney, Kuchel, Ward, Dilworth, Hatfield, Mixter, Biggar, and Desmond—An act making an appropriation to the Veterans' Welfare Board for the purpose of providing educational assistance for veterans.

By Senator Quinn—An act to amend Sections 980 and 985 and to amend and renumber the article heading of the second Article 3 of Chapter 6 of Division 4 of, and to add Sections 831 and 842 to, the Military and Veterans Code, relating to the purchases of farms and homes by veterans of World War I and veterans of World War II, abolishing the Veterans' Farm and Home Building Fund, and facilitating the work of the Veterans' Welfare Board.

By Senators Quinn, Tenney, Desmond, Dilworth, Mixter, DeLap, and Biggar—An act to repeal an act entitled "An act to add Article 5A, comprising Sections 933 to 994.3 inclusive, to Chapter 6 of Division 4 of the Military and Veterans Code, authorizing the creation of a debt or debts, liability or liabilities, through the issuance and sale of State bonds, for the single object of creating a fund to provide farm and home aid for veterans in accordance with the provisions of the Veterans Farm and Home Purchase Act of 1943; defining the powers and duties of said committee and of the Veterans' Welfare Board and other State officers in respect to the administration of the provisions hereof; providing ways and means, exclusive of loans, for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures; appropriating money for the expense of preparing and of advertising the sale of bonds herein authorized to be issued; and providing for the submission of this act to a vote of the people at the general election to be held in the month of November, 1946," approved July 17, 1945, relating to the purchase of farms and homes for veterans.

By Senators Quinn, Tenney, Kuchel, Ward, DeLap, Dilworth, Hatfield, Mixter, Biggar, and Desmond—An act to authorize the Department of Finance to acquire surplus property from the United States for the purpose of furnishing housing facilities for veterans attending universities and colleges and making an appropriation.

By Senators Quinn, Kuchel, Dilworth, Ward, DeLap, Tenney, Hatfield, Mixter, Biggar, and Desmond—An act to authorize the Department of Finance to acquire surplus property from the United States for the purpose of furnishing housing facilities for veterans and families of servicemen, and making an appropriation.

By Senator Quinn—An act to repeal Sections 877, 981.6, and 985.4 of the Military and Veterans Code, relating to eligibility of veterans for educational aid and farm and home purchases.

By Senators Quinn, Hatfield, Mixter, DeLap, Dilworth, and Biggar—An act making an appropriation for the construction of a women's dormitory at the Veterans' Home of California.

By Senators Quinn, Dilworth, Biggar, Mixter, and DeLap—An act to amend Sections 980 and 985 and to amend and renumber the article

heading of the second Article 3 of Chapter 6 of Division 4 of, and to add Sections 831 and 842 to, the Military and Veterans Code, relating to the purchases of farms and homes by veterans of World War I and veterans of World War II, abolishing the Veterans' Farm and Home Building Fund, and facilitating the work of the Veterans' Welfare Board.

By Senators Dilworth, Mixter, Quinn, Kuchel, Ward, DeLap, Tenney, Desmond, Hatfield, and Biggar—An act to add Section 4131.5 to, and to amend Section 4300c of, the Political Code, relating to recordation of military discharges and service records and documents of separation from military service.

By Senators Dilworth, Quinn, Mixter, Biggar, Desmond, Ward, Tenney, Kuchel, and Hatfield—An act to add Section 433.5 to the Military and Veterans Code, relating to the use of State Armories as dormitories.

By Senator Gordon—An act making an appropriation to meet a deficiency in the appropriation contained in Chapter 1208, Statutes of 1941, for construction of a dam and pertinent works to impound the waters of Rector Creek in Napa County, to take effect immediately.

By Senator McBride—An act to amend Section 2302 of the Welfare and Institutions Code, relating to the inspection services licensing agencies for the care of the aged, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

By Senator McBride—An act to amend Section 1622 of the Welfare and Institutions Code, relating to inspection services licensing agencies for child care and home finding, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

By Senator Crittenden—An act to repeal Section 2 of Chapter 1235, Statutes of 1945, relating to the period during which provisions of the Agricultural Code governing disposal of garbage from vessels and aircrafts shall be effective.

By Senator Biggar—Proposed amendment to the Constitution, by adding Article XXVII, relating to the guaranty of private financing by the State of home and home development projects.

By Senator Breed—Relative to the creation of a Joint Special Committee on Federal Tideland Legislation.

By Senators Quinn, DeLap, and Dilworth—Relative to memorializing the President and Congress of the United States to declare as surplus all unnecessary building materials held by the armed forces and to provide preference rights to veterans in sales of such materials.

ADJOURNMENT

At 11.30 a.m., on motion of Senator Seawell, the President declared the Senate adjourned until 11 a.m., Thursday, January 10, 1946, out of respect to the memory of the late Hiram W. Johnson.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-SIXTH (FIRST EXTRAORDINARY) SESSION

SENATE DAILY JOURNAL

FOURTH LEGISLATIVE DAY
FOURTH CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO
Thursday, January 10, 1946

The Senate met at 11 a.m.
Hon. Frederick F. Houser, President of the Senate, presiding.
Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—40.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Dr. Clarence A. Kircher.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Seawell, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Senator and Mrs. Edward A. Whitaker, Tenth District, of the State of Colorado.

On request of Senator Hatfield, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Tony Ferreira, of Merced County.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 9, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 2
Senate Concurrent Resolution No. 3
Senate Concurrent Resolution No. 4
Senate Concurrent Resolution No. 6

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

Above resolutions ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 9, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Proposed Senate Bill No. 14

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Public Health and Safety.

Committee membership 5; committee vote: Ayes 4; absent 1.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 9, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Proposed Senate Concurrent Resolution No. 8

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Rules.

Committee membership 5; committee vote: Ayes 4; absent 1.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 9, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Proposed Senate Bill No. 31

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Finance.

Committee membership 5; committee vote: Ayes 4; absent 1.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 9, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Proposed Senate Bill No. 34

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Agriculture.

Committee membership 5; committee vote: Ayes 4; absent 1.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 9, 1946

MR. PRESIDENT: Your Committee on Rules, to which were referred:

Proposed Senate Bill No. 32
Proposed Senate Bill No. 33

Has had the same under consideration, and finds that same are within the purview of the call, and directs that they be referred to the Committee on Social Welfare.

Committee membership 5; committee vote: Ayes 4; absent 1.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 9, 1946

MR. PRESIDENT: Your Committee on Rules, to which were referred:

Proposed Senate Bill No. 16
Proposed Senate Bill No. 17
Proposed Senate Bill No. 18
Proposed Senate Constitutional Amendment No. 1

Has had the same under consideration, and finds that same are within the purview of the call, and directs that they be referred to the Committee on Governmental Efficiency.

Committee membership 5; committee vote: Ayes 4; absent 1.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 9, 1946

MR. PRESIDENT: Your Committee on Rules, to which were referred:

Proposed Senate Bill No. 19
Proposed Senate Bill No. 20
Proposed Senate Bill No. 21
Proposed Senate Bill No. 22
Proposed Senate Bill No. 23
Proposed Senate Bill No. 24
Proposed Senate Bill No. 25
Proposed Senate Bill No. 26
Proposed Senate Bill No. 27
Proposed Senate Bill No. 28
Proposed Senate Bill No. 29
Proposed Senate Bill No. 30
Proposed Senate Joint Resolution No. 2

Has had the same under consideration, and finds that same are within the purview of the call, and directs that they be referred to the Committee on Military and Veterans Affairs.

Committee membership 5; committee vote: Ayes 4; absent 1.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 9, 1946

MR. PRESIDENT: Your Committee on Rules, to which were referred:

Proposed Senate Bill No. 13
Proposed Senate Bill No. 15

Has had the same under consideration, and finds that same are within the purview of the call, and directs that they be referred to the Committee on Judiciary.

Committee membership 5; committee vote: Ayes 4; absent 1.

SEAWELL, Chairman

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following bills were introduced, and read the first time:

Senate Bill No. 13: By Senator Slater—An act to validate the organization, boundaries, governing officers or boards, acts, proceedings, and bonds of public bodies, to take effect immediately.

Referred to Committee on Judiciary.

Senate Bill No. 14: By Senator Hatfield—An act making an appropriation to the State Fire Marshal to carry out the provisions of Chapters 727 and 728, Statutes of 1945, to take effect immediately.

Referred to Committee on Public Health and Safety.

Senate Bill No. 15: By Senator DeLap—An act amending Section 634 of the Welfare and Institutions Code, relating to the appointment, selection, and removal, and term of office of probation officers, assistant probation officers, deputy probation officers and of superintendents, matrons and other employees of detention homes.

Referred to Committee on Judiciary.

Senate Bill No. 16: By Senator Biggar—An act to provide dwelling accommodations, to set up ways and means of economically financing homes, creating jobs, financing of home development projects and authorizing the creation of the California State Home Mortgage and Loan Guaranty Commission as a department of the State of California and to provide for the issuance of revenue bonds and use of the proceeds thereof by such commission in financing homes and home development projects for California citizens, particularly war veterans, including provisions for the issuance of mortgage insurance by adding Section 12443 to the Insurance Code, which addition is in aid of the aforesaid purposes, and making an appropriation.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 17: By Senator Swing—An act to repeal Section 38g of the Alcoholic Beverage Control Act, relating to the authority of the State Board of Equalization to regulate by rule the wholesale marketing and distribution of beer.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 18: By Senators Tenney, Quinn, Dilworth, Mixter, and Hatfield—An act to amend Sections 18973, 19057, 19533, and 19534 of, and to add Sections 19201 and 19705 to, the Government Code, relating to veterans' preference in State civil service.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 19: By Senators Quinn, Ward, Desmond, Tenney, Dilworth, Hatfield, Mixter, DeLap, and Biggar—An act to add Article 5A, comprising Sections 993 to 994.3, inclusive, to Chapter 6 of Division 4 of the Military and Veterans Code, authorizing the creation of a debt or debts, liability or liabilities, through the issuance and sale of State bonds, for the single object of creating a fund to provide farm and home aid for veterans in accordance with the provisions of the Veterans Farm and Home Purchase Act of 1943; defining the powers and duties of said committee and of the Veterans' Welfare Board and other State officers in respect to the administration of the provisions hereof; providing ways and means, exclusive of loans, for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures; appropriating money for the expense of preparing and of advertising the sale of bonds herein authorized to be issued; and providing for the submission of this act to a vote of the people at the general election to be held in the month of November, 1946.

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 20: By Senators Quinn, Mixter, Dilworth, Hatfield, Biggar, Tenney, Desmond, Kuchel, and Ward—An act to amend Sections 985.5, 986.3, 986.4, and 986.5 of the Military and Veterans Code, relating to farm and home purchases by veterans of World War II.

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 21: By Senators Quinn, Tenney, Kuchel, Ward, Dilworth, Hatfield, Mixter, Biggar, and Desmond—An act making an appropriation to the Veterans' Welfare Board for the purpose of providing educational assistance for veterans.

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 22: By Senator Quinn—An act to amend Sections 980 and 985 and to amend and renumber the article heading of the second Article 3 of Chapter 6 of Division 4 of, and to add Sections 831 and 842 to, the Military and Veterans Code, relating to the purchases of farms and homes by veterans of World War I and veterans of World War II, abolishing the Veterans' Farm and Home Building Fund, and facilitating the work of the Veterans' Welfare Board.

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 23: By Senators Quinn, Tenney, Desmond, Dilworth, Mixter, DeLap, and Biggar—An act to repeal an act entitled "An act to add Article 5A, comprising Sections 933 to 994.3, inclusive, to Chapter 6 of Division 4 of the Military and Veterans Code, authorizing the creation of a debt or debts, liability or liabilities, through the issuance and sale of State bonds, for the single object of creating a fund to provide farm and home aid for veterans in accordance with the provisions of the Veterans Farm and Home Purchase Act of 1943; defining the powers and duties of said committee and of the Veterans' Welfare Board and other State officers in respect to the administration of the provisions hereof; providing ways and means, exclusive of loans, for the payment of the interest of such debt or debts, liability or liabilities,

as such interest falls due, and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures; appropriating money for the expense of preparing and of advertising the sale of bonds herein authorized to be issued; and providing for the submission of this act to a vote of the people at the general election to be held in the month of November, 1946," approved July 17, 1945, relating to the purchase of farms and homes for veterans.

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 24: By Senators Quinn, Tenney, Kuchel, Ward, DeLap, Dilworth, Hatfield, Mixter, Biggar, and Desmond—An act to authorize the Department of Finance to acquire surplus property from the United States for the purpose of furnishing housing facilities for veterans attending universities and colleges and making an appropriation.

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 25: By Senators Quinn, Kuchel, Dilworth, Ward, DeLap, Tenney, Hatfield, Mixter, Biggar, and Desmond—An act to authorize the Department of Finance to acquire surplus property from the United States for the purpose of furnishing housing facilities for veterans and families of servicemen, and making an appropriation.

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 26: By Senator Quinn—An act to repeal Sections 877, 981.6, and 985.4 of the Military and Veterans Code, relating to eligibility of veterans for educational aid and farm and home purchases.

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 27: By Senators Quinn, Hatfield, Mixter, DeLap, Dilworth, and Biggar—An act making an appropriation for the construction of a women's dormitory at the Veterans' Home of California.

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 28: By Senators Quinn, Dilworth, Biggar, Mixter, and DeLap—An act to amend Sections 980 and 985 and to amend and renumber the article heading of the second Article 3 of Chapter 6 of Division 4 of, and to add Sections 831 and 842 to, the Military and Veterans Code, relating to the purchases of farms and homes by veterans of World War I and veterans of World War II, abolishing the Veterans' Farm and Home Building Fund, and facilitating the work of the Veterans' Welfare Board.

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 29: By Senators Dilworth, Mixter, Quinn, Kuchel, Ward, DeLap, Tenney, Desmond, Hatfield, and Biggar—An act to add Section 4131.5 to, and to amend Section 4300c of, the Political Code, relating to recordation of military discharges and service records and documents of separation from military service.

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 30: By Senators Dilworth, Quinn, Mixter, Biggar, Desmond, Ward, Tenney, Kuchel, and Hatfield—An act to add Section 433.5 to the Military and Veterans Code, relating to the use of State Armories as dormitories.

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 31: By Senator Gordon—An act making an appropriation to meet a deficiency in the appropriation contained in Chapter 1208, Statutes of 1941, for construction of a dam and pertinent works to impound the waters of Rector Creek in Napa County, to take effect immediately.

Referred to Committee on Finance.

Senate Bill No. 32: By Senator McBride—An act to amend Section 2302 of the Welfare and Institutions Code, relating to the inspection services licensing agencies for the care of the aged, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Social Welfare.

Senate Bill No. 33: By Senator McBride—An act to amend Section 1622 of the Welfare and Institutions Code, relating to inspection services licensing agencies for child care and home finding, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Social Welfare.

Senate Bill No. 34: By Senator Crittenden—An act to repeal Section 2 of Chapter 1235, Statutes of 1945, relating to the period during which provisions of the Agricultural Code governing disposal of garbage from vessels and aircrafts shall be effective.

Referred to Committee on Agriculture.

Senate Constitutional Amendment No. 1: By Senator Biggar—Proposed amendment to the Constitution, by adding Article XXVII, relating to the guaranty of private financing by the State of home and home development projects.

Referred to Committee on Governmental Efficiency.

Senate Concurrent Resolution No. 8: By Senator Breed—Relative to the creation of a Joint Special Committee on Federal Tideland Legislation.

Referred to Committee on Rules.

Senate Joint Resolution No. 2: By Senators Quinn, DeLap, and Dilworth—Relative to memorializing the President and Congress of the United States to declare as surplus all unnecessary building materials held by the armed forces and to provide preference rights to veterans in sales of such materials.

Referred to Committee on Military and Veterans Affairs.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 9, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 4

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following resolution was read:

Assembly Concurrent Resolution No. 4—Relative to approving amendments to the charter of the City and County of San Francisco voted for and ratified by the electors of said City and County of San Francisco at a general municipal election held therein on the sixth day of November, 1945.

Request for Unanimous Consent

Senator Shelley asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 4, at this time, for consideration.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 4

Assembly Concurrent Resolution No. 4—Relative to approving amendments to the charter of the City and County of San Francisco voted for and ratified by the electors of said City and County of San Francisco at a general municipal election held therein on the sixth day of November, 1945.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Jespersen, Judah, Keating, Kuchel, Mayo, McCormack, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Tenney, and Weybret—31.

NOES—None.

Resolution ordered transmitted to the Assembly.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 10, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 1

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bill was read the first time:

Assembly Bill No. 1—An act making an appropriation for the contingent expenses of the Assembly for the Fifty-sixth (First Extraordinary) Session of the Legislature, including expenses of committees created at that session, and declaring that this act shall take effect immediately.

Referred to Committee on Rules.

PRESENTATION OF SENATOR WHITAKER

At 11.05 a.m., Senator Seawell called the attention of the Senate to the presence of Senator Edward A. Whitaker from Colorado, and introduced him as the guest of himself and the Secretary of the Senate.

The President of the Senate appointed as a Committee of Escort Senators Seawell, Salsman, and Desmond, to escort Senator Whitaker to the rostrum of the Senate.

Upon request of the President, Senator Whitaker addressed the Members of the Senate.

THE FOLLOWING PROPOSED BILLS WERE READ, AND REFERRED TO COMMITTEE ON RULES

By Senator Swing—Relative to hunting in State parks.

By Senators Mayo and Salsman—Proposed amendment to Article I, Section 14 of the Constitution, relating to the rights of private property.

By Senator Hatfield—An act making an appropriation to the Reclamation Board for the payment of the cost of cooperation by the State with the United States in the prosecution of the plan of improvement for flood protection on various streams in the Merced County stream group in the San Joaquin Valley.

By Senators Slater, Gordon, and Mayo—An act making an appropriation to the Department of Mental Hygiene to carry out the State Postwar Building Program in respect to institutions within the department.

By Senators DeLap, Rich, Ward, McBride, Jespersen, Tenney, Parkman, McCormack, Dillinger, Burns, Desmond, and Crittenden—An act to provide a Unified Program of Construction, Improvement, and Equipment for State Agencies, creating a State Public Works Board, and making an appropriation to carry out the provisions of this act.

By Senator Tenney—An act to provide for a Medical School and Center at the University of California at Los Angeles, and to make an appropriation therefor.

By Senators Tenney, McCormack, Fletcher, and DeLap—An act to amend Section 5 of an act entitled "An act relating to the determination of the wartime population of cities or cities and counties for purposes of allocation of moneys from the State Highway Fund and from the Motor Vehicle License Fee Fund for expenditures therein, and declaring the urgency thereof," approved May 18, 1943, relating to the time said act remains in effect, and declaring the urgency thereof, to take effect immediately.

By Senators Shelley, Mayo, Judah, Cunningham, Dillinger, Powers, Tenney, and Jespersen—An act to add Section 18 and Article 10, comprising Sections 150 to 404 to, and to amend Sections 19, 20, and 40 of, the Unemployment Insurance Act, to establish a System of Unemployment Compensation Disability Benefit Payments within the Unemployment Compensation System.

By Senators Crittenden, Deuel, Rich, Mixter, Tenney, McCormack, McBride, Burns, Fletcher, Cunningham, Judah, Gordon, Salsman, Sutton, Quinn, Weybret, and Jespersen—An act making an appropriation for the payment of the cost of cooperation with the United States in the construction of projects for flood control in this State.

MOTION TO PRINT OPINION OF ATTORNEY GENERAL

Senator DeLap moved that the following opinion of the Attorney General, relating to the duration clauses, be printed in the Journal:

Motion carried.

Opinion of Attorney General

STATE OF CALIFORNIA, DEPARTMENT OF JUSTICE, STATE BUILDING
SAN FRANCISCO 2, September 25, 1945

Honorable Harold F. Sawallisch
Assemblyman, Tenth District
American Trust Building, Richmond, California

DEAR MR. SAWALLISCH: This will acknowledge your letter of September 7, 1945, wherein you ask in what manner can the day be ascertained on which there either has been or shall be a "cessation of hostilities in all wars in which the United States is now engaged" within the meaning of Section 59.6 of the Alcoholic Beverage Control Act (Chapter 787, Statutes of 1945).

The quoted language appears in the following provision of Section 59.6:

> "This section shall remain in effect until the ninety-first day after final adjournment of the Fifty-seventh Regular Session of the Legislature or until six months after the cessation of hostilities in all wars in which the United States is now engaged, whichever first occurs."

The foregoing is typical of "cessation of hostilities" clauses which occur in the following statutes enacted during the Fifty-sixth Regular Session of the Legislature:*

1945, Ch. 12, 32, 60, 106, 125, 133, 135, 149, 161, 169, 187, 193, 205, 223, 244, 264, 283, 347, 369, 370, 404, 413, 491, 514, 619, 620, 621, 640, 675, 683, 700, 729, 784, 787, 797, 816, 1059, 1128, 1212, 1235, 1258, 1261, 1284, 1299, 1314, 1317, 1427.

Chapter 923, Statutes of 1943, also contains a "cessation of hostilities" clause.

Chapters 176, 294 and 836, Statutes of 1945, contain duration clauses which slightly vary the language to "termination of hostilities."

A few 1945 statutes refer to "termination of the war" (Chapters 35, 47, 74, 294 and 1224) and "cessation of war" (Chapter 294). Chapter 294 also contains the phrases "termination of war" and "termination of hostilities."

Other duration clauses used in the California statutes are as follows:

After the date on which hostilities officially terminate:
1945, Ch. 641.

Duration of war emergency:
1943, Ch. 396.

During the war—or in any other National emergency:
1945, Ch. 1048; 1943, Ch. 788.

While the war is still pending:
1945, Ch. 641.

Continuation of hostilities in all wars:
1943, Ch. 825.

Prosecution of the war:
1945, Ch. 1021.

Statutes containing duration clauses with (1) a fixed date or (2) on the ninety-first day after adjournment of the Fifty-seventh Regular Session of the Legislature are:

(1) *1945*, Ch. 53, 302, 337, 427, 618, 773, 1046, 1218.
(2) *1945*, Ch. 34, 49, 92, 648, 749, 1130, 1217, 1351, 1481.

Finally, there is a group of statutes which contain duration clauses which require a proclamation by the Governor or by the President, or a concurrent resolution of

* References are to Chapter.

Congress or of the Legislature, to establish the date of their termination: (Those using the phrase "cessation of hostilities" are marked with an asterisk.)

1945, Ch.	*5,	*11,	59,	87,	123,	124,	164,
	*331,	454,	*577,	*643,	*710,	791,	*836,
	*1075,	1205,	*1285,	1306.			
1943, Ch.	*50,	*446,	*790,	938.			
1944, 4th Ex. Ch.	*3,	*42.					

War legislation enacted by Congress contains phrases similar to those appearing in the California Statutes. With respect thereto the Attorney General of the United States, under date of September 1, 1945, has made a report to the President. This report contains an opinion and a compilation of wartime statutes. I quote from the opinion:

> "The broad basis of governmental power on which the various emergency and wartime statutes rest can not, therefore, be said to have been terminated by recent developments, including the unconditional surrender of our enemies. Questions do arise at the present stage, however, with regard to the time which the Congress has specified in individual statutes as being the termination date of the powers therein conferred. As will appear in the attached compilation, certain of the wartime statutes are made effective only 'in time of war,' or 'during the present war,' or 'for the duration of the war.' Still other expressions may be found of similar character.
>
> Speaking generally, I believe that statutes of the type just mentioned should be considered as effective until a formal state of peace has been restored, unless some earlier termination date is made effective by appropriate governmental action. In *Hamilton* v. *Kentucky Distilleries Co.*, 251 U. S. 141, Mr. Justice Brandeis, speaking for the court, said: 'In the absence of specific provisions to the contrary, the period of war has been held to extend to the ratification of the treaty of peace or the proclamation of peace.' Again, in *Commercial Cable Co.* v. *Burleson*, 255 Fed. 99, 104, Judge Learned Hand rejected the contention that certain wartime powers conferred on the President in the First World War had terminated with the Armistice of November 11, 1918, and added: 'Even if I were to assume that the power were only coextensive with a state of war, a state of war still existed. It is the treaty which terminates the war.' See also *Kahn* v. *Anderson*, 255 U. S. 1, 10; *Ware* v. *Hylton*, 3 Dall. 199, 236; 22 Op. A. G. 190 (1898). It is perhaps unnecessary to add that the Congress can at any time in response to changed conditions, repeal or amend any wartime statute or group of statutes.
>
> I turn to another group of statutes: those which are to be terminated 'upon the cessation of hostilities as proclaimed by the President.' Speaking once more in general terms, I believe that a provision of this type should be interpreted to refer to a formal proclamation, issued after you have determined that the facts warrant such action. Any less formal action on your part would not in my opinion be given by the courts the legal effect of terminating a wartime statute, in the absence of proof in the document itself that it was your intention so to do. See *Hamilton* v. *Kentucky Distilleries Co.*, Supra.
>
> The same reasoning would seem to apply to statutes which remain in effect until the termination of the limited emergency declared by President Roosevelt on September 8, 1939, or of the unlimited emergency declared by him on May 27, 1941. When in your judgment it is necessary and proper that one or both of those states of emergency be terminated, you will doubtless wish to issue a formal proclamation or proclamations to that effect. Prior to that time, informal action would not, in my opinion, be construed by the courts, under the reasoning of the *Hamilton* case, as having brought those states of emergency to an end."

September 2, 1945, the day following the Attorney General's report, was proclaimed as V-J Day. In his proclamation the President is quoted as follows:

> "As President of the United States, I proclaim Sunday, September 2, 1945, to be V-J Day—the day of formal surrender by Japan. *It is not yet the day for the formal proclamation of the end of the war or of the cessation of hostilities.* But it is a day which we Americans shall always remember as a day of retribution—as we remember that other day, the day of infamy." (Italics added.)

Clearly, there has been no "cessation of hostilities" or "end" of the war by proclamation of the President. Nor has there yet been a resolution by Congress.

Since our Legislature has in thirteen statutes coupled the phrase "cessation of hostilities" with a reference to proclamation, or a resolution, I can only conclude that it was the legislative intent, in the forty-seven other statutes enacted by the Fifty-sixth Regular Session which contain this phrase without specific reference to a

proclamation or resolution that the date of cessation of hostilities would be determined by a proclamation or resolution.

Just as Congress can amend or repeal any wartime statute, or group of Federal statutes, so can the Legislature amend or repeal our State laws. It has been reported in the press that the Governor has announced that he will call a special session of the Legislature to meet before the first of the year. I have already recommended to him that he include in the call of the special session action upon all statutes containing duration clauses and I have given him a list of them as enumerated herein.

I am, therefore, of the opinion that until the Legislature amends or repeals any or all of the group of statutes containing "cessation of hostilities" clauses, or the day is fixed by proclamation or resolution, those statues continue in full effect.

I need go no further to answer your specific question as to the Alcoholic Beverage Control Act. But, since I have received numerous requests for opinions with respect to other statutes containing duration clauses, I will take this occasion to state certain general conclusions which will answer them and similar future requests.

As used in the duration clauses, I am of the opinion that "cessation" and "termination" are synonymous, as is the Attorney General of the United States, who groups statutes containing these words in the same category. (pp. 60-61, Report to the President.) I express the same opinion, therefore, with respect to statutes containing "termination of hostilities" clauses as I have expressed in regard to those containing "cessation of hostilities" clauses.

The President has said that the day has not yet arrived for proclaiming the "end" of the war. There can be no doubt that the "end" of the war marks a "cessation of war" and a "termination of war." It follows that my views with respect to statutes containing "cessation of war" and "termination of war" are likewise the same.

As to other expressions appearing in the duration clauses of the statutes listed herein, I deem it unnecessary to make comment at this time.

The conclusions reached herein are not inconsistent with the decision in *Kaiser* v. *Hopkins*, 6 Cal. (2d) 539. In that case the court held that the words "in time of war" appearing in Section 1¼, Article XIII of the Constitution, as applied to World War I, referred to the period of actual conflict, and that this period dated from April 6, 1917, when Congress declared war, until November 11, 1918, when the Armistice was signed. The opinion states, however, "we were technically at war until July 2, 1921, during which time the peace commissioners negotiated the final terms of settlement, but in the minds of the people the war is over." (p. 539.) In that case the court rested its opinion upon two grounds: (1) that the words used in a constitution must be taken in the ordinary and common acceptation, because they are presumed to have been so understood by the framers and by the people who adopted it (p. 539); and (2) that, since the Legislature had, in 1929, enacted a law by which the words "in time of war" were given legislative interpretation, the courts are bound to follow this interpretation if not unreasonable. (p. 540.)

Even if we assume the factual situation to be the same, that is to say, that the signing of the instrument of surrender on V-J Day, September 2, 1945, is the equivalent of the signing of the Armistice on November 11, 1918, and that actual conflict was thereby ended and, as in the case of the Armistice, hostilities do not break out again, we are not here considering a provision of the Constitution (which incidentally had been submitted to the people for amendment three times after the Armistice and before the decision in the *Kaiser* case—1922, 1926 and 1932) or a legislativ enactment interpreting the specific language of the Constitution.

Very truly yours,

ROBERT W. KENNY, Attorney General
KEITH CARLAN, Deputy

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1

Senator Seawell moved that Assembly Bill No. 1 be withdrawn from Committee on Rules, and referred to Committee on Finance.

Motion carried.

ADJOURNMENT

At 11.55 a.m., on motion of Senator Seawell, the President declared the Senate adjourned until 10.30 a.m., Friday, January 11, 1946.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-SIXTH (FIRST EXTRAORDINARY) SESSION

SENATE DAILY JOURNAL

FIFTH LEGISLATIVE DAY
FIFTH CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO
Friday, January 11, 1946

The Senate met at 10.30 a.m.
Hon. Frederick F. Houser, President of the Senate, presiding.
Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Biggar, Breed, Brown, Carter, Collier, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Tenney, Ward, and Weybret—35.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Dr. Clarence A. Kircher.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Fletcher, on motion of Senator Seawell, due to legislative business elsewhere.

Senator Swing, on motion of Senator Seawell, due to legislative business elsewhere.

Senator DeLap, on motion of Senator Jespersen, due to legislative business.

Senator Burns, on motion of Senator Seawell, due to legislative business.

Senator Sutton, on motion of Senator Seawell, due to legislative business.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Mixter, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. C. A. Kircher of Sacramento; and Mrs. Jane Wickman of Tekamah, Nebraska.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Sgt. J. D. "Jaydee" Covington of Sacramento.

On request of Senator Hatfield, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Major and Mrs. Robert D. Kelley.

On request of Senator Collier, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Henry Westbrook, Jr., of South River.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 10, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Proposed Senate Concurrent Resolution No. 9

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be placed on file, and recommends that it be adopted.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 10, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Proposed Senate Constitutional Amendment No. 2

Has had the same under consideration, and finds that same is within the purview of the call, and directs that same be referred to the Committee on Judiciary.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 10, 1946

MR. PRESIDENT: Your Committee on Rules, to which were referred:

Proposed Senate Bill No. 35

Proposed Senate Bill No. 41

Has had the same under consideration, and finds that same are within the purview of the call, and directs that they be referred to the Committee on Water Resources.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 10, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Proposed Senate Bill No. 36

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Institutions.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 10, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Proposed Senate Bill No. 37

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Governmental Efficiency.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 10, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Proposed Senate Bill No. 38

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Education.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 10, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Proposed Senate Bill No. 39

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Local Government.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 10, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Proposed Senate Bill No. 40

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Social Welfare.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

Committee on Finance

SENATE CHAMBER, SACRAMENTO, January 10, 1946

MR. PRESIDENT: Your Committee on Finance, to which were referred:

Senate Bill No. 1
Assembly Bill No. 1

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; absent 2.

RICH, Chairman

Above reported bills ordered to second reading.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following bills were introduced, and read the first time:

Senate Bill No. 35: By Senator Hatfield—An act making an appropriation to the Reclamation Board for the payment of the cost of cooperation by the State with the United States in the prosecution of the plan of improvement for flood protection on various streams in the Merced County stream group in the San Joaquin Valley.

Referred to Committee on Water Resources.

Senate Bill No. 36: By Senators Slater, Gordon, and Mayo—An act making an appropriation to the Department of Mental Hygiene to carry out the State Postwar Building Program in respect to institutions within the department.

Referred to Committee on Institutions.

Senate Bill No. 37: By Senators DeLap, Rich, Ward, McBride, Jespersen, Tenney, Parkman, McCormack, Dillinger, Burns, Desmond, and Crittenden—An act to provide a Unified Program of Construction, Improvement, and Equipment for State Agencies, creating a State Public Works Board, and making an appropriation to carry out the provisions of this act.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 38: By Senator Tenney—An act to provide for a Medical School and Center at the University of California at Los Angeles, and to make an appropriation therefor.

Referred to Committee on Education.

Senate Bill No. 39: By Senators Tenney, McCormack, Fletcher, and DeLap—An act to amend Section 5 of an act entitled "An act relating to the determination of the wartime population of cities or cities and counties for purposes of allocation of moneys from the State Highway Fund and from the Motor Vehicle License Fee Fund for expenditures therein, and declaring the urgency thereof," approved May 18, 1943, relating to the time said act remains in effect, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Local Government.

Senate Bill No. 40: By Senators Shelley, Mayo, Judah, Cunningham, Dillinger, Powers, Tenney, and Jespersen—An act to add Section 18 and Article 10, comprising Sections 150 to 404 to, and to amend Sections 19, 20, and 40 of, the Unemployment Insurance Act, to establish a System of Unemployment Compensation Disability Benefit Payments within the Unemployment Compensation System.

Referred to Committee on Social Welfare.

Senate Bill No. 41: By Senators Crittenden, Deuel, Rich, Mixter, Tenney, McCormack, McBride, Burns, Fletcher, Cunningham, Judah, Gordon, Salsman, Sutton, Quinn, Weybret, and Jespersen—An act making an appropriation for the payment of the cost of cooperation with the United States in the construction of projects for flood control in this State.

Referred to Committee on Water Resources.

Senate Constitutional Amendment No. 2: By Senators Mayo and Salsman—Proposed amendment to Article I, Section 14 of the Constitution, relating to the rights of private property.

Referred to Committee on Judiciary.

Senate Concurrent Resolution No. 9: By Senator Swing—Relative to hunting in State parks.

Above resolution ordered placed on file.

REQUEST FOR UNANIMOUS CONSENT

Senator Seawell asked for, and was granted, unanimous consent to have Senate Bill No. 1, and Assembly Bill No. 1, given a second reading, and Article IV, Section 15 of the Constitution suspended, at this time, for the purpose of final passage.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 1—An act making an appropriation for the contingent expenses of the Senate, without regard to fiscal years, including committee expenses, to take effect immediately.

Bill read second time, and ordered to third reading.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 1—An act making an appropriation for the contingent expenses of the Assembly for the Fifty-sixth (First Extraordinary) Session of the Legislature, including expenses of committees created at that session, and declaring that this act shall take effect immediately.

Bill read second time, and ordered to third reading.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Senator Seawell:

Resolved, That Senate Bill No. 1 and Assembly Bill No. 1 present a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bills be read on three several days in each

house is hereby dispensed with, and it is ordered that said bills be read the third time, and placed upon their passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Donnelly, Dorsey, Hatfield, Jespersen, Judah, Kuchel, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Slater, Tenney, Ward, and Weybret—27.
NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF SENATE BILL NO. 1

Senate Bill No. 1—An act making an appropriation for the contingent expenses of the Senate, without regard to fiscal years, including committee expenses, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Donnelly, Dorsey, Hatfield, Jespersen, Judah, Kuchel, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Slater, Tenney, Ward, and Weybret.—27.
NOES—None.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF ASSEMBLY BILL NO. 1

Assembly Bill No. 1—An act making an appropriation for the contingent expenses of the Assembly for the Fifty-sixth (First Extraordinary) Session of the Legislature, including expenses of committees created at that session, and declaring that this act shall take effect immediately.

Bill read third time and presented by Senator Seawell.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Collier, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Donnelly, Dorsey, Hatfield, Jespersen, Judah, Kuchel, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Slater, Tenney, Ward, and Weybret—28.
NOES—None.

Bill ordered transmitted to the Assembly.

ADJOURNMENT

At 11.56 a.m., on motion of Senator Seawell, the President declared the Senate adjourned until 2 p.m., Monday, January 14, 1946.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-SIXTH (FIRST EXTRAORDINARY) SESSION

SENATE DAILY JOURNAL

SIXTH LEGISLATIVE DAY
EIGHTH CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO
Monday, January 14, 1946

The Senate met at 2 p.m.
Hon. Frederick F. Houser, President of the Senate, presiding.
Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Slater, Sutton, Swing, Tenney, Ward, and Weybret—38.

Quorum present.

PRAYER

Upon invitation of the President, prayer was offered by the Rev. Torrance Phelps, Pastor of the Congregational Church.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Gordon, on motion of Senator Biggar, due to legislative business.

Senator Shelley, on motion of Senator Seawell, due to legislative business.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Seawell, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Senator and Mrs. E. H. Kohlhase of the State of Washington and Mr. Jeff E. Springmeyer, Chief Clerk of the Assembly of the State of Nevada.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Miss Loyola Bannon of Los Angeles; and Miss Pat Wilson and Miss La Vaughn Kingsley of Sacramento.

On request of Senator Fletcher, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Richard T. Stafford and Francis L. Drag, staff members of the San Diego County Schools.

On request of Lieutenant Governor Houser, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. John C. Cassell of Laguna Beach.

On request of Senator Dorsey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to former Senator J. W. McKinley of Los Angeles.

PRESENTATION OF SENATOR KOHLHASE

At 2.07 p.m., Senator Seawell called the attention of the Members of the Senate to the presence of Senator and Mrs. Ernest H. Kohlhase, of the State of Washington.

RECESS

Senator Seawell moved that the Senate take a short recess to hear the remarks of Senator Kohlhase.

Motion carried.

The President appointed as a Committee of Escort Senators Seawell, Breed, and Weybret to escort Senator Kohlhase to the rostrum of the Senate.

Upon request of the President, Senator Kohlhase addressed the Senate.

REASSEMBLED

At 2.10 p.m., the Senate reconvened.

Hon. Frederick F. Houser, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

PRESENTATION OF FORMER SENATOR McKINLEY

At 2.12 p.m., Senator Slater called the attention of the Members of the Senate to the presence of former Senator J. W. McKinley, of Los Angeles.

RECESS

Senator Slater moved that the Senate take a short recess to hear the remarks of Senator McKinley.

Motion carried.

The President appointed as a Committee of Escort Senators Slater, Tenney, and McCormack to escort Senator McKinley to the rostrum of the Senate.

Upon request of the President, Senator McKinley addressed the Senate.

REASSEMBLED

At 2.14 p.m., the Senate reconvened.

Hon. Frederick F. Houser, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 11, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 1

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By HAROLD LEWRIGHT, Assistant Clerk

Above bill ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, January 11, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 8
Assembly Bill No. 10

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By HAROLD LEWRIGHT, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, January 14, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 2

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

Assembly Bill No. 8—An act to validate bonds of Zone 1 of the Ventura County Flood Control District and proceedings relating thereto, and making final and conclusive, as therein provided, the canvass of election returns of the election at which said bonds were voted.

Referred to Committee on Rules.

Assembly Bill No. 10—An act to amend Section 16111 of the Education Code, relating to the computation of income of veterans for the purpose of determining tuition fees of their children.

Referred to Committee on Rules.

Assembly Bill No. 2—An act making an appropriation from the State Lands Act Fund for the additional support of the Department of Justice, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 14, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Concurrent Resolution No. 2—Approving a certain amendment to the charter of the City of Santa Rosa, a municipal corporation in the County of Sonoma, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the fourth day of December, 1945;

Senate Concurrent Resolution No. 3—Approving a certain amendment to the charter of the City of San Leandro, a municipal corporation of the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at the special municipal election held therein on the twentieth day of November, 1945;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the fourteenth day of January, 1946, at 1 p.m.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 14, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Concurrent Resolution No. 4—Approving an amendment to the charter of the City of Stockton, State of California, ratified by the qualified electors thereof, at a general municipal election held therein on Tuesday, October 9, 1945;

Senate Concurrent Resolution No. 6—Approving certain amendments to the charter of the City of Eureka, a municipal corporation in the County of Humboldt, State of California, voted for and ratified by the qualified electors of said city at the general municipal election held therein on the eighteenth day of June, 1945;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the fourteenth day of January, 1946, at 12 noon.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 14, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Concurrent Resolution No. 9

And reports the same correctly engrossed.

SEAWELL, Chairman

RESOLUTIONS

The following resolutions were offered:

By the Committee on Rules:

Senate Resolution No. 15

Resolved, That the Controller be and he is hereby ordered and directed to draw his warrant on the Contingent Fund of the Senate in the sum of two hundred dollars ($200) in favor of the Secretary of the Senate for postage for the Senate and the Treasurer is directed to pay the same.

BROWN
DEUEL

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McBride, McCormack, Parkman, Powers, Quinn, Rich, Seawell, Slater, Sutton, Swing, Tenney, Ward, and Weybret—33.

NOES—None.

By Senators Tenney and Collier:

Senate Resolution No. 16

Relative to construction of a subterranean garage at Pershing Square in Los Angeles

WHEREAS, The congested traffic condition in the City of Los Angeles is seriously affecting the growth and progress of the city; and

WHEREAS, Much of this congestion is due to the inadequacy of parking conditions, forcing motorists to drive many miles in search of a place to park; and

WHEREAS, The State Department of Public Works has made a survey and determined that a subterranean garage could be constructed under Pershing Square in downtown Los Angeles; and

WHEREAS, The construction and operation of such a garage would relieve these congested traffic conditions, and make downtown Los Angeles more accessible to the people of Los Angeles and of the State generally; now, therefore, be it

Resolved by the Senate of the State of California, That the City of Los Angeles is hereby memorialized to take such steps as may be necessary to construct or authorize the construction of an adequate subterranean garage under Pershing Square in the City of Los Angeles; and be it further

Resolved, That the Secretary of the Senate shall transmit a copy of this resolution to the City Council and Mayor of the City of Los Angeles.

Resolution read, and referred to Committee on Rules.

THE FOLLOWING PROPOSED BILLS WERE READ, AND REFERRED TO COMMITTEE ON RULES

By Senators Quinn, Hatfield, Biggar, DeLap, Dilworth, Ward, Tenney, and Mixter—An act to repeal Division 1 and Sections 691, 692, 693, 696, 697, 992, 992.3, 992.4, 1015, 1016, 1017, 1020, 1021, 1028, 1029, 1086, and 1087 of, to add Division 1 to, and to amend Section 1084 of, the Military and Veterans Code, to amend Section 18620 of, and to add Section 18629 to, the Business and Professions Code, providing for the reorganization of the State agencies concerned with veterans and veterans affairs and for matters incidental thereto, including the establishment of a Department of Veterans Affairs, California Veterans Board, and Director of Veterans Affairs and prescribing the powers, duties, purposes, and functions of each, abolishing the Department of Military and Veterans Affairs, creating the Office of The Adjutant General and placing The Adjutant

General therein, placing the Division of Athletics in the Department of Professional and Vocational Standards, and providing for the transfer of funds, personnel, property and records.

By Senator Dillinger—An act to amend Section 65 of the Labor Code, relating to conciliation and arbitration of labor disputes.

By Senator Tenney—An act making an appropriation for the construction of a women's wing at the Veterans' Home of California at Yountville.

By Senator Tenney—An act making an appropriation for the support of child care centers, and declaring the urgency thereof, to take effect immediately.

By Senator Tenney—An act to amend Sections 19601, 19608, 19613, and 19616 of, and to add Section 19613.5 to, the Education Code, relating to child care centers, and declaring the urgency thereof, to take effect immediately.

By Senators Biggar and Tenney—An act to add Section 986.10 to the Military and Veterans Code, relating to construction financing and minimum structural material standards for 40-year home purchase contracts for veterans.

By Senators Tenney, Hulse, Crittenden, Powers, Desmond, and Hatfield—An act to amend Section 24626 of the Education Code, relating to the use of county funds for the support and maintenance of extension work in agriculture and home economics.

By Senators Hatfield, Weybret, Hulse, Crittenden, Powers, and Desmond—An act providing for research and its adaptation to the production, processing, distribution and utilization of agricultural products grown in the State of California and making an appropriation therefor, declaring the urgency of this act, to take effect immediately.

By Senators Quinn and Hatfield—An act to amend Sections 751, 820, and 987 of the Military and Veterans Code, relating to the rate of interest on veteran farm and home loans, declaring the urgency thereof, to take effect immediately.

By Senators Quinn, Dilworth, and Biggar—An act making an appropriation to the California Veterans Board for expenditure toward the payment of the salaries of county service officers, to take effect immediately.

By Senator DeLap—An act to amend Sections 3700 and 3701 of the Labor Code, relating to self-insurers under the Workmen's Compensation Law.

By Senator Burns—An act to amend Section 23 of the "District Investigation Act of 1933," relating to special tax and assessment districts.

By Senators Biggar, Hatfield, Dorsey, Judah, Collier, Crittenden, Jespersen, Tenney, Cunningham, Mixter, Donnelly, Desmond, and Quinn —An act to make an appropriation to the California Polytechnic School for the production of herbs and plants for applied research in the production of resins, gums, and oils for medicinal and other purposes, declaring the urgency of this act, to take effect immediately.

By Senators Quinn and Hatfield—An act to amend Sections 813, 815, 820 and 986.3 of the Military and Veterans Code, relating to the purchase of homes by veterans.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following resolution was offered:

Senate Concurrent Resolution No. 7: By Senators Dorsey, Slater, Mayo, McBride, Brown, Jespersen, Crittenden, Parkman, Kuchel, Judah, Ward, Swing, DeLap, Dillinger, Hatfield, Mixter, Seawell, Keating, Powers, Cunningham, Collier, Biggar, Breed, Carter, Desmond, Deuel, Fletcher, Gordon, Hulse, Quinn, Rich, and Shelley—Relative to adjournment in memory of James I. Wagy.

Request for Unanimous Consent

Senator Dorsey asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 7, at this time, for consideration.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 7

Senate Concurrent Resolution No. 7—Relative to adjournment in memory of James I. Wagy.

Resolution read, and adopted by a rising vote of the following Senators:

Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Slater, Sutton, Swing, Tenney, Ward, and Weybret—38.

Resolution ordered transmitted to the Assembly.

MOTION TO PRINT REMARKS BY SENATOR DORSEY

Senator Slater moved that the remarks by Senator Dorsey, regarding the death of Senator Wagy, be inscribed in the Journal.

Motion carried.

Remarks by Senator Dorsey

Mr. President and Gentlemen of the Senate

Our friend is gone.

It has been said, and truthfully: "Cast thy bread upon the water and it shall return after many days."

Cherished by a noble character, your friend and my friend, James I. Wagy, cast his bread upon the water day after day throughout his long and eventful life—and it was returned day after day after day through the love and affection of all those who knew him.

"You may break—you may shatter the vase, if you will
But the fragrance of the rose hangs 'round it still."

Living or dead, a real friend is never forgotten—never forsaken. Morning and noon may pass him by, the light of day sinks heedlessly in the West; but when the shadows of midnight shall fall the chimes of memory will ever peal forth the fragrant message—to our absent friend.

And so with Jim, as he was familiarly known, though he has passed into that Realm from whose bourn no traveler returns, yet his goodly acts and kindly deeds will live forever in the hearts of a grateful people. In his private life and in his public life he was honest, dependable, loyal, and faithful. He was a loving husband, and a kind and considerate father. He was a loyal friend. He was a faithful public servant.

We speak not of faults upon an occasion like this, if there were any, because between friends they are inscribed upon the sands. We speak of the virtues of a friend, and we write them upon the imperishable tablets of love and memory.

When the call came, he passed from this earth as peacefully as he came—without fear and with perfect trust in the justice and mercy of the Great Father of Us All. While I know not his thoughts, yet, knowing the simplicity of his life, we believe he

entered The Great Stillness with that trustful prayer learned at his mother's knee in the years of long ago:

When the sun of life is low
When the dewy shadows creep
Say for me before I go
"Now I lay me down to sleep."

I am at the journey's end
I have sown and must reap
There are no ways to mend—
"Now I lay me down to sleep."

Nothing more to doubt or dare,
Nothing more to give or keep
Say for me the children's prayer
"Now I lay me down to sleep."

Who has learned along the way,
Primrose path or stony steep—
More of wisdom than to say,
"Now I lay me down to sleep."

What have you more wise to tell
When the shadows 'round me creep
All is over, all is well
"Now I lay me down to sleep."

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 14, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Assembly Bill No. 2

Has had the same under consideration, and reports the same back with the recommendation: Be re-referred to Committee on Finance.

Committee membership 5; committee vote: Ayes 4; absent 1.

SEAWELL, Chairman

Above reported bill re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, January 14, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Proposed Senate Bill No. 42

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to Committee on Military and Veterans Affairs.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were introduced, and read the first time:

Senate Bill No. 42: By Senators Quinn, Hatfield, Biggar, DeLap, Dilworth, Ward, Tenney, and Mixter—An act to repeal Division 1 and Sections 691, 692, 693, 696, 697, 992, 992.3, 992.4, 1015, 1016, 1017, 1020, 1021, 1028, 1029, 1086, and 1087 of, to add Division 1 to, and to amend Section 1084 of, the Military and Veterans Code, to amend Section 18620 of, and to add Section 18629 to, the Business and Professions Code, providing for the reorganization of the State agencies concerned with veterans and veterans affairs and for matters incidental thereto, including the establishment of a Department of Veterans Affairs, California Veterans Board, and Director of Veterans Affairs and prescribing the powers, duties, purposes, and functions of each, abolishing the Department of Military and Veterans Affairs, creating the Office of

The Adjutant General and placing The Adjutant General therein, placing the Division of Athletics in the Department of Professional and Vocational Standards, and providing for the transfer of funds, personnel, property and records.

Referred to Committee on Military and Veterans Affairs.

Senate Concurrent Resolution No. 10: By Senator Desmond—Relative to approving certain amendments to the charter of the City of Sacramento, a municipal corporation of the State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the sixth day of November, 1945.

Request for Unanimous Consent

Senator Desmond asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 10, at this time, for consideration.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 10

Senate Concurrent Resolution No. 10—Relative to approving certain amendments to the charter of the City of Sacramento, a municipal corporation of the State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the sixth day of November, 1945.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Crittenden, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Slater, Sutton, Swing, Tenney, Ward, and Weybret—33.
NOES—None.

Resolution ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE

THIRD READING OF SENATE BILLS

Senate Concurrent Resolution No. 9—Relative to hunting in State parks.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Dorsey, Fletcher, Hatfield, Hulse, Jespersen, Keating, Kuchel, Mayo, McBride, Mixter, Parkman, Powers, Quinn, Salsman, Seawell, Slater, Sutton, Swing, Tenney, Ward, and Weybret—33.
NOES—None.

Resolution ordered transmitted to the Assembly.

ADJOURNMENT

At 2.42 p.m., on motion of Senator Seawell, the President declared the Senate adjourned until 2 p.m., Tuesday, January 15, 1946, out of respect to the memory of the late Senator James I. Wagy.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-SIXTH (FIRST EXTRAORDINARY) SESSION

SENATE DAILY JOURNAL

SEVENTH LEGISLATIVE DAY
NINTH CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO
Tuesday, January 15, 1946

The Senate met at 2 p.m.
Hon. Frederick F. Houser, President of the Senate, presiding.
Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McBride, McCormack, Mixter, Parkman, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—39.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Dr. Clarence A. Kircher.

LEAVES OF ABSENCE FOR THE DAY

The following Senator was granted leave of absence for the day:

Senator Powers, on motion of Senator Seawell, due to legislative business.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senators Collier and Seawell, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Norman M. Green of Dunsmuir.

On request of Senator Fletcher, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Lt. Commander Burck Smith, American Airlines Inc., of San Diego.

On request of Senator Shelley, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Lawrence Smith of Ontario, brother of Miss Thelma Smith, Secretary in San Francisco's Legislative Office.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 15, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 1
Senate Concurrent Resolution No. 5
Senate Concurrent Resolution No. 7
Senate Concurrent Resolution No. 10

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

Above resolutions ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, January 15, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Joint Resolution No. 2
Assembly Joint Resolution No. 3

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

ASSEMBLY CHAMBER, SACRAMENTO, January 15, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 16
Assembly Bill No. 35

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

Assembly Joint Resolution No. 2—Relative to requesting the Federal Government to declare as surplus property all building materials held but not needed by the armed forces in California, and to effect the immediate release of such materials for housing construction, providing for preference to veterans in the purchase thereof.

Referred to Committee on Rules.

Assembly Joint Resolution No. 3—Relative to memorializing Congress to enact S. 1592, to establish a National Housing Policy and to provide for its execution.

Referred to Committee on Rules.

Assembly Bill No. 16—An act making an additional appropriation for support of the State Personnel Board in the Ninety-seventh and Ninety-eighth Fiscal Years, to take effect immediately.

Referred to Committee on Rules.

Assembly Bill No. 35—An act to provide for a Medical School and Center at the University of California at Los Angeles, and to make an appropriation therefor.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 15, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Concurrent Resolution No. 7
Senate Concurrent Resolution No. 10

And reports the same correctly engrossed.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 14, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 8

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

Committee membership 5; committee vote: Ayes 4; absent 1.

SEAWELL, Chairman

Above reported resolution ordered to second reading.

Committee on Local Government

SENATE CHAMBER, SACRAMENTO, January 14, 1946

MR. PRESIDENT: Your Committee on Local Government, to which were referred:

Senate Bill No. 12
Senate Bill No. 39

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 8; absent 1.

CUNNINGHAM, Chairman

Above reported bills ordered to second reading.

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 14, 1946

MR. PRESIDENT: Your Committee on Rules, to which were referred:

Proposed Senate Bill No. 47
Proposed Senate Bill No. 50
Proposed Senate Bill No. 51
Proposed Senate Bill No. 55
Proposed Senate Bill No. 44

Has had the same under consideration, and finds that same are within the purview of the call, and directs that they be referred to the Committee on Military and Veterans Affairs.

Committee membership 5; committee vote: Ayes 4; absent 1.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 14, 1946

MR. PRESIDENT: Your Committee on Rules, to which were referred:

Proposed Senate Bill No. 43
Proposed Senate Bill No. 52

Has had the same under consideration, and finds that same are within the purview of the call, and directs that they be referred to the Committee on Labor.

Committee membership 5; committee vote: Ayes 4; absent 1.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 14, 1946

MR. PRESIDENT: Your Committee on Rules, to which were referred:

Proposed Senate Bill No. 49
Proposed Senate Bill No. 54

Has had the same under consideration, and finds that same are within the purview of the call, and directs that they be referred to the Committee on Agriculture.

Committee membership 5; committee vote: Ayes 4; absent 1.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 14, 1946

MR. PRESIDENT: Your Committee on Rules, to which were referred:

Proposed Senate Bill No. 48
Proposed Senate Bill No. 53

Has had the same under consideration, and finds that same are within the purview of the call, and directs that they be referred to the Committee on Local Government.

Committee membership 5; committee vote: Ayes 4; absent 1.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 14, 1946

MR. PRESIDENT: Your Committee on Rules, to which were referred:

Proposed Senate Bill No. 45
Proposed Senate Bill No. 46

Has had the same under consideration, and finds that same are within the purview of the call, and directs that they be referred to the Committee on Education.

Committee membership 5; committee vote: Ayes 4; absent 1.

SEAWELL, Chairman

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO 14, January 14, 1946

To the Senate of the State of California

I have the honor to inform you that I propose to make the following appointments, and respectfully request your confirmation thereof and consent thereto:

PROFESSOR B. A. ETCHEVERRY, a resident of Berkeley; member of the faculty of the University of California; has acted as Consulting Engineer for the State Reclamation Board for 30 years. His assignments have included service as a member of the consulting Board of Appraisers of the United States Bureau of Reclamation in connection with the Central Valley Project, and Consulting Engineer for the United States Army Engineers; was appointed (original appointment), effective November 1, 1945, as member of the State Water Resources Board as interim appointee pursuant to Section 1774 of the Government Code:

to the State Water Resources Board, for the term prescribed by law, ending January 15, 1947.

HOWARD F. COZZENS, a resident of Salinas; Monterey County Surveyor; Stanford University graduate in engineering; has participated actively in Salinas and Pajaro River flood control and water conservation movements for many years; was appointed (original appointment), effective November 1, 1945, as member of the State Water Resources Board as interim appointee pursuant to Section 1774 of the Government Code:

to the State Water Resources Board, for the term prescribed by law, ending January 15, 1948.

R. V. MEIKLE, a resident of Turlock; Chief Engineer of the Turlock-Modesto Irrigation District since 1914; was in charge of construction of the Exchequer Dam on Merced River for the Merced Irrigation District; in 1928 prepared the Report on the Imperial Irrigation District proposed power project; was a member of the board of consulting engineers for construction of Shasta and Friant Dams; was appointed (original appointment), effective November 1, 1945, as member of the State Water Resources Board as interim appointee pursuant to Section 1774 of the Government Code:

to the State Water Resources Board, for the term prescribed by law, ending January 15, 1948.

C. A. GRIFFITH, a resident of Azusa; one of the original Committee of Nine appointed in 1915 to work on flood problems in the Los Angeles Area, and is a former Chairman of the San Gabriel Valley Protective Committee; a rancher; was appointed (original appointment), effective November 1, 1945, as member of the State Water Resources Board as interim appointee pursuant to Section 1774 of the Government Code;

to the State Water Resources Board, for the term prescribed by law, ending January 15, 1949.

ROYAL MILLER, a resident of Sacramento; businessman and civic leader; Director and President of the Sacramento Municipal Utility District since 1932; a member of the Executive Committee for Central Valley Project Studies of the United States Bureau of Reclamation; was appointed (original appointment), effective November 1, 1945, as member of the State Water Resources Board as interim appointee pursuant to Section 1774 of the Government Code;

to the State Water Resources Board, for the term prescribed by law, ending January 15, 1949.

LESTER S. READY, a resident of San Francisco; formerly Chief Engineer of the California Railroad Commission; has engaged in private practice as a consulting engineer since 1927; has made studies and reports on potential power developments of the State Water Plan; was consulting engineer on rates, appraisals and operations and plans for many public water and power agencies; was appointed (original appointment), effective November 1, 1945, as member of the State Water Resources Board as interim appointee pursuant to Section 1774 of the Government Code;

to the State Water Resources Board, for the term prescribed by law, ending January 15, 1947.

PHILIP DAVID SWING, a resident of San Diego; former superior court judge and Congressman; expert on Colorado River problems; co-author with Senator Hiram W. Johnson of legislation authorizing the Boulder Dam Project; has represented the City and County of San Diego and California water agencies in important litigation involving their rights to waters of the Colorado River; formerly Chief Counsel for the Imperial Irrigation District, largest in the United States; was appointed (original appointment), effective November 1, 1945, as member of the State Water Resources Board as interim appointee pursuant to Section 1774 of the Government Code;

to the State Water Resources Board, for the four-year term prescribed by law, ending January 15, 1950.

MICHAEL B. KUNZ, a resident of Sacramento; formerly Sacramento City Councilman; formerly manager of the United States Employment Service; representative of the Sacramento-Yolo Building Trades Council; was appointed, effective August 31, 1945, as member of the California Unemployment Insurance Appeals Board and member of the California Employment Stabilization Commission as interim appointee pursuant to Section 1774 of the Government Code;

to the California Unemployment Insurance Appeals Board and member of the California Employment Stabilization Commission, vice self, term expired, for the term prescribed by law.

BEN KOENIG, a resident of Hollywood; attorney; member of the Social Welfare Board since January 27, 1941; was appointed, effective September 21, 1945, as member of Social Welfare Board as interim appointee pursuant to Section 1774 of the Government Code;

to Social Welfare Board, vice self, term expired, for the term prescribed by law.

MRS. BERNICE H. CHIPMAN, a resident of San Francisco; active in welfare work in community and war chest activities; member of the Board of Directors of San Francisco Community Chest; Past Director of the Family Welfare Association; Past President of the California League of Women Voters; was appointed, effective September 21, 1945, as member of the Social Welfare Board as interim appointee pursuant to Section 1774 of the Government Code;

to the Social Welfare Board, vice self, term expired, for the four year term prescribed by law, ending January 15, 1950.

JOHN C. CUNEO, a resident of Modesto; member of the Social Welfare Board since September 14, 1942; in the crop-dusting business in Modesto; National Committeeman for the Townsend organization; was appointed, effective September 21, 1945, as member of the Social Welfare Board as interim appointee pursuant to Section 1774 of the Government Code;

to the Social Welfare Board, vice self, for the term prescribed by law.

PAUL SCHARRENBERG, a resident of San Francisco; has served as Chairman of the Industrial Accident Commission and ex officio Director of Industrial Relations since January 29, 1943; prior to that time was Legislative Representative in Washington for the American Federation of Labor; was appointed, effective September 15, 1945, as Director of Industrial Relations, Department of Industrial Relations as interim appointee pursuant to Section 1774 of the Government Code;

to Director of Industrial Relations, Department of Industrial Relations, for the term at the pleasure of the Governor.

ANTHONY RACINE, a resident of Los Angeles; in charge of labor relations, State Department of Employment, in the operation of Unemployment Insurance Division from 1936 to 1942; Coordinator and Chief of Labor Relations in the southern part of the State; with the War Manpower Commission since 1942; was appointed (original appointment), effective September 24, 1945, as member of the Industrial Accident Commission as interim appointee pursuant to Section 1774 of the Government Code;

to the Industrial Accident Commission, for the four year term prescribed by law, ending January 15, 1950.

ERNEST B. WEBB, a resident of Long Beach; Secretary of Long Beach Central Labor Council; President of the Los Angeles County District Council of Painters for the past three years. From December, 1940, to January, 1943, was Labor Relations Representative to Roosevelt Base, Norco Hospital and Port Hueneme Naval Base Depot; was appointed (original appointment), effective September 24, 1945, as member of the Industrial Accident Commission as interim appointee pursuant to Section 1774 of the Government Code;

to the Industrial Accident Commission, for the term prescribed by law, ending January 15, 1947.

DAN MURPHY, JR., a resident of San Francisco; was five years on the legal staff of Industrial Accident Commission; four years as Attorney for Labor Commissioner, in Department of Industrial Relations; three years with Fred B. Wood, Legislative Counsel, during which time he drafted the Labor Code, including the Workmen's Compensation Act; two years Assistant United States Attorney for Northern District of California; Delegate to General Council of California State Employees Association each year since 1939; President of San Francisco Chapter in 1939; member of Law and Legislative Committee of California State Employees' Association; was appointed, effective September 24, 1945, as member of the Industrial Accident Commission, as interim appointee pursuant to Section 1774 of the Government Code;

to the Industrial Accident Commission, vice Paul Scharrenberg, for the term prescribed by law, ending January 15, 1947.

RALPH E. MUSTOE, a native of Iowa, resident of Los Angeles; graduate of University of Southern California, and admitted to the Bar in 1928; was employed as Senior Deputy Counsel by the State Compensation Insurance Fund; in 1938 became an Industrial Accident Commission referee; was appointed (original appointment), effec-

tive September 24, 1945, as member of the Industrial Accident Commission as interim appointee pursuant to Section 1774 of the Government Code;

to the Industrial Accident Commission for the term prescribed by law, ending January 15, 1948.

EVERETT A. CORTEN, a resident of San Francisco, a native of Eureka; graduate of the University of California in 1926; employed by the Industrial Accident Commission since 1930; as Chief Counsel since 1933; was appointed (original appointment), effective September 24, 1945, as member and Chairman of the Industrial Accident Commission as interim appointee pursuant to Section 1774 of the Government Code;

to the Industrial Accident Commission, (as member and chairman), for the term prescribed by law, ending January 15, 1949.

ALEXANDER WATCHMAN, resident of San Francisco; formerly President of Building Trades Council of San Francisco; member of the Industrial Accident Commission since February 9, 1942;

to the Industrial Accident Commission, vice self, term expired, for the four year term prescribed by law, ending January 15, 1950.

SHERMAN W. MCDONALD, a resident of Westwood; Director of Industrial Relations, Red River Lumber Company, 1933-1945; Assistant Resident Manager, 1942-1945; member California Personnel Managers Association, Society of Industrial Engineers;

to the Industrial Accident Commission, vice J. C. Garrison, term expired, for the term prescribed by law.

SAMUEL CERF, a resident of San Francisco; President of the Association of Shop Owners (Cleaners); was appointed (original appointment), effective September 25, 1945, as member of the State Board of Cleaners as interim appointee pursuant to Section 1774 of the Government Code, (representing retail shop owners);

to the State Board of Cleaners, for the term prescribed by law, ending January 15, 1947.

D. R. WOODARD, a resident of Sacramento; engaged in retail cleaners business; was appointed (original appointment), effective September 25, 1945, as member of the State Board of Cleaners as interim appointee pursuant to Section 1774 of the Government Code, (representing retail plant owners);

to the State Board of Cleaners, for the term prescribed by law, ending January 15, 1947.

RUDOLPH HENRY, a resident of Los Angeles; Business Manager of Cleaners and Tailors, Consolidated; an officer of the Associated Retail Cleaners and Dyers of California; was appointed (original appointment), effective September 25, 1945, as member of the State Board of Cleaners as interim appointee pursuant to Section 1774 of the Government Code, (representing retail shop owners);

to the State Board of Cleaners, for the term prescribed by law, ending January 15, 1949.

JOHN T. FRENCH, a resident of Sacramento; Assistant Manager of the Sacramento Valley Associated Industries for four years; was appointed (original appointment), effective September 25, 1945, as member of the State Board of Cleaners as interim appointee pursuant to Section 1774 of the Government Code, (representing the public);

to the State Board of Cleaners, for the four year term prescribed by law, ending January 15, 1950.

PAUL KOENIG, a resident of Oakland; was appointed (original appointment), effective September 25, 1945, as member of the State Board of Cleaners as interim appointee pursuant to Section 1774 of the Government Code, (representing wholesale plant owners);

to the State Board of Cleaners, for the four year term prescribed by law, ending January 15, 1950.

OTTO PETRI, a resident of Long Beach; was appointed (original appointment), effective September 25, 1945, as member of the State Board of Cleaners, as interim appointee pursuant to Section 1774 of the Government Code, (representing retail plant owners);

to the State Board of Cleaners, for the four year term prescribed by law, ending January 15, 1950.

WILLIAM GOSS, a resident of Glendale; President of the State Association of Plant Owners; was appointed (original appointment), effective September 25, 1945, as member of the State Board of Cleaners as interim appointee pursuant to Section 1774 of the Government Code, (representing wholesale plant owners);

to the State Board of Cleaners, for the term prescribed by law, ending January 15, 1947.

O. H. CLOSE, a resident of Ione; Superintendent of Preston School of Industry for 24 years; has been a member of the California Conference of Social Work and of the National Conference of Juvenile Agencies; in military service during World War I; was appointed, effective August 4, 1945, as member of the Youth Authority as interim appointee pursuant to Section 1774 of the Government Code;
to the Youth Authority, vice self, term expired, for the term prescribed by law.

WILLIAM B. MCKESSON, a resident of Los Angeles; former Superior Court Judge in Los Angeles County; graduated from Colorado College in 1917, and from University of Southern California Law School in 1922; veteran of World War I; previously served for 17 years in office of the Los Angeles County Counsel; was appointed, effective December 1, 1945, as member of the Youth Authority as interim appointee pursuant to Section 1774 of the Government Code;
to the Youth Authority, vice self, for the term prescribed by law.

HARRISON R. BAKER, a resident of Pasadena; engaged in real estate business; member of Pasadena Planning Commission; real estate valuation expert; member of the California Highway Commission since September 14, 1943;
to the California Highway Commission, vice self, term expired, for the term prescribed by law.

EUGENE T. BRODERICK, a resident of San Francisco; business executive; member of the State Board of Education since February 9, 1942;
to the State Board of Education, vice self, term expired, for the term prescribed by law.

MRS. E. T. HALE, a resident of San Diego; formerly President of the California Congress of Parents and Teachers; member of the San Diego Board of Education; member of the State Board of Education since May 4, 1943;
to the State Board of Education, vice self, term expired, for the term prescribed by law.

RALPH T. FISHER, a resident of Oakland; bank executive and civic leader; member of the State Board of Education since May 4, 1943;
to the State Board of Education, vice self, term expired, for the term prescribed by law.

H. H. HALE, a resident of Concord; farmer; President of Contra Costa County Soil Conservation District; Director of the Contra Costa Walnut Growers Association; one-time Chairman of Contra Costa County Grand Jury; was appointed (original appointment), effective December 17, 1945, as member of the State Soil Conservation Commission as interim appointee pursuant to Section 1774 of the Government Code;
to the State Soil Conservation Commission, for the term prescribed by law.

DAVID L. STRATHEARN, a resident of Simi; farmer; President of the Simi Soil Conservation District; member, Advisory Board, Zone 3, Ventura County Flood Control District; veteran of World War I; past County Commander of the American Legion; was appointed (original appointment), effective December 17, 1945, as member of the State Soil Conservation Commission as interim appointee pursuant to Section 1774 of the Government Code;
to the State Soil Conservation Commission, for the term prescribed by law.

LOUIS H. BURKE, a resident of Montebello; attorney practicing in Los Angeles; graduate of Loyola University and Loyola University Law School of Los Angeles; Legal Counsel for League of California Cities, 1932-1943; City Attorney for the City of Montebello during the same period; entered military service in 1943, served with 1st and 9th Armies in France and Germany; recently released from service with the rank of Major;
to the Veterans' Welfare Board, vice Robert F. Garner, Jr., deceased, for the term prescribed by law.

ERNEST R. ORFILA, a resident of Los Angeles; attorney practicing in Los Angeles; graduate of University of Southern California; in the United States Navy, World War I; Past President of the Ramona Parlor, Native Sons of the Golden West; Past Commander of Hollywood Post of the American Legion; Past Grand Trustee of the State of California for the Foresters of America; Director of the Coordinating Council for Latin-American Youth and Citizens Committee for Latin-American Youth of the County of Los Angeles; first appointed to the Veterans' Welfare Board February 15, 1941;
to the Veterans' Welfare Board, vice self, for the term prescribed by law.

ORIEN W. TODD, a resident of San Diego; businessman; recently discharged with the rank of Captain from the United States Marine Corps after two years of overseas service;
to the Veterans' Welfare Board, vice Paul T. Young, for the term prescribed by law.

ALLEN SACRY, a resident of Willits; presently City Judge and Clerk of Willits; was appointed, effective October 19, 1945, as member of the Board of Trustees of Mendocino State Hospital as interim appointee pursuant to Section 1774 of the Government Code;

to the Board of Trustees, Mendocino State Hospital, vice self, for the term prescribed by law.

LEWIS DRUCKER, a resident of LaCanada; member of the Adult Authority, Department of Corrections, from May 1, 1944, to September 10, 1945, when he vacated the office by the acceptance of a temporary assignment to the Board of Clemency, Division of Corrections, United States Army, Washington, D. C. (see Attorney General's opinion No. 45-240, dated October 24, 1945); recommissioned as interim appointee October 22, 1945;

to Adult Authority, Department of Corrections, vice self, for the term ending March 15, 1947.

GARDNER BULLIS, a resident of Los Angeles; presently connected with the Regional Division of the American Red Cross (operating through San Francisco); President of the California Conference of Social Workers; was appointed (original appointment), effective September 26, 1945, as member of the Board of Social Work Examiners as interim appointee pursuant to Section 1774 of the Government Code;

to the Board of Social Work Examiners, for the four year term prescribed by law, ending January 15, 1950.

MRS. M. C. BOUCHER, a resident of San Diego; Historian for State Congress of Parents and Teachers and on its Executive Board; on San Diego Welfare Board and on Recreation Commission for City of San Diego; member of San Diego Section of League of Women Voters; was appointed (original appointment), effective September 26, 1945, as member of the Board of Social Work Examiners as interim appointee pursuant to Section 1774 of the Government Code;

to the Board of Social Work Examiners, for the four year term prescribed by law, ending January 15, 1950.

MRS. BENJAMIN F. WARMER, a resident of Ontario; State President of the California Federation of Women's Clubs; was appointed (original appointment), effective September 26, 1945, as member of the Board of Social Work Examiners as interim appointee pursuant to Section 1774 of the Government Code;

to the Board of Social Work Examiners, for the four year term prescribed by law, ending January 15, 1950.

MISS ZDENKA BUBEN, a resident of Los Angeles; Director of the Bureau of Medical Social Service, Los Angeles County Health Department; was appointed (original appointment), effective September 26, 1945, as member of the Board of Social Work Examiners as interim appointee pursuant to Section 1774 of the Government Code;

to the Board of Social Work Examiners, for the term prescribed by law, ending January 15, 1947.

MISS MAURINE MCKEANY, a resident of Berkeley; Acting Dean of Social Welfare, University of California; was appointed (original appointment), effective September 26, 1945, as member of the Board of Social Work Examiners as interim appointee pursuant to Section 1774 of the Government Code;

to the Board of Social Work Examiners, for the term prescribed by law, ending January 15, 1948.

REVEREND RAYMOND J. O'FLAHERTY, a resident of Los Angeles; Executive Director, Catholic Welfare Bureau, Archdiocese of Los Angeles; was appointed (original appointment), effective September 26, 1945, as member of the Board of Social Work Examiners as interim appointee pursuant to Section 1774 of the Government Code;

to the Board of Social Work Examiners, for the term prescribed by law, ending January 15, 1949.

HYMAN KAPLAN, a resident of San Francisco; Executive Director, Federation of Jewish Charities; was appointed (original appointment), effective September 26, 1945, as member of the Board of Social Work Examiners as interim appointee pursuant to Section 1774 of the Government Code;

to the Board of Social Work Examiners, for the term prescribed by law, ending January 15, 1949.

WILLIAM A. MEINHEIT, a resident of Berkeley; presently Chief of the Berkeley Fire Department; was appointed (original appointment), effective September 20, 1945, as member of the State Fire Advisory Board as interim appointee pursuant to Section 1774 of the Government Code;

to the State Fire Advisory Board, for the term at the pleasure of the Governor.

JOHN H. ALDERSON, a resident of Los Angeles; presently Chief of the City of Los Angeles Fire Department; was appointed (original appointment), effective Septem-

ber 20, 1945, as member of the State Fire Advisory Board as interim appointee pursuant to Section 1774 of the Government Code;
to the State Fire Advisory Board, for the term at the pleasure of the Governor.

C. NEAL NIDAY, a resident of San Bernardino; presently Chief of the San Bernardino Fire Department; was appointed (original appointment), effective September 20, 1945, as member of the State Fire Advisory Board as interim appointee pursuant to Section 1774 of the Government Code;
to the State Fire Advisory Board, for the term at the pleasure of the Governor.

HUGH MORRIS, a resident of San Mateo; presently Chief of the San Mateo Fire Department; was appointed (original appointment), effective September 20, 1945, as member of the State Fire Advisory Board as interim appointee pursuant to Section 1774 of the Government Code;
to the State Fire Advisory Board, for the term at the pleasure of the Governor.

TERRENCE MULLIGAN, a resident of Sacramento; presently Chief of the Sacramento Fire Department; was appointed (original appointment), effective September 20, 1945, as member of the State Fire Advisory Board as interim appointee pursuant to Section 1774 of the Government Code;
to the State Fire Advisory Board, for the term at the pleasure of the Governor.

SPENCE D. TURNER, a resident of the City of Los Angeles; presently, Forester, Fire Warden, and Chief Engineer (fire district) for County of Los Angeles; was appointed (original appointment), effective September 20, 1945, as member of the State Fire Advisory Board as interim appointee pursuant to Section 1774 of the Government Code;
to the State Fire Advisory Board, for the term at the pleasure of the Governor.

WALTER M. JOHNSON, a resident of Oceanside; presently Chief of the Oceanside Fire Department; was appointed (original appointment), effective September 20, 1945, as member of the State Fire Advisory Board as interim appointee pursuant to Section 1774 of the Government Code;
to the State Fire Advisory Board, for the term at the pleasure of the Governor.

BART W. ARUNDEL, a resident of Santa Rosa; presently Chief of the Fire Department at the Army Air Base at Santa Rosa; was appointed (original appointment), effective September 20, 1945, as member of the State Fire Advisory Board as interim appointee pursuant to Section 1774 of the Government Code;
to the State Fire Advisory Board, for the term at the pleasure of the Governor.

C. L. BOLZ, a resident of Pasadena; presently Chief of the Pasadena Fire Department; was appointed (original appointment), effective September 20, 1945, as member of the State Fire Advisory Board as interim appointee pursuant to Section 1774 of the Government Code;
to the State Fire Advisory Board, for the term at the pleasure of the Governor.

A. J. SULLIVAN, a resident of San Francisco; presently Chief of the San Francisco Fire Department; was appointed (original appointment), effective September 20, 1945, as member of the State Fire Advisory Board as interim appointee pursuant to Section 1774 of the Government Code;
to the State Fire Advisory Board, for the term at the pleasure of the Governor.

LESTER A. O'BRIEN, a resident of San Jose; presently Chief of the San Jose Fire Department; was appointed (original appointment), effective September 20, 1945, as member of the State Fire Advisory Board as interim appointee pursuant to Section 1774 of the Government Code;
to the State Fire Advisory Board, for the term at the pleasure of the Governor.

FRANK C. MORTIMER, Los Angeles, Building and Loan Commissioner since January 4, 1943; Regent, American Institute of Banking, 1921-1922; has acted frequently as Federal Trustee and Receiver under appointment of the U. S. District Court;
as Building and Loan Commissioner, vice self, for the term ending at the pleasure of the Governor.

Respectfully,

EARL WARREN, Governor

Above message read, and referred to Committee on Rules.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO 14, January 14, 1946

To the Honorable Members of the Senate
State of California, Sacramento, California

GENTLEMEN: Pursuant to the provisions of Section 1774 of the Government Code, which provides that within 10 days after the meeting of the Legislature the Governor must transmit to it a list of all appointments made by him under the provisions of that

section, I have the honor to transmit to you herewith a list of all appointments so made since the last session of the Legislature.

Respectfully,

EARL WARREN, Governor

PROFESSOR B. A. ETCHEVERRY, a resident of Berkeley, a member of the faculty of the University of California, was appointed November 1, 1945, as member of the State Water Resources Board.

HOWARD F. COZZENS, a resident of Salinas, and Monterey County Surveyor, was appointed November 1, 1945, as member of the State Water Resources Board.

R. V. MEIKLE, a resident of Turlock, and Chief Engineer of the Turlock-Modesto Irrigation District since 1914, was appointed November 1, 1945, as member of the State Water Resources Board.

C. A. GRIFFITH, a resident and farmer of Azusa, former Chairman of San Gabriel Valley Protective Committee, was appointed November 1, 1945, as member of the State Water Resources Board.

ROYAL MILLER, a resident and business man of Sacramento, Director and President of Sacramento Municipal Utility District since 1932, was appointed November 1, 1945, as member of the State Water Resources Board.

LESTER S. READY, a resident and Engineer of San Francisco, and formerly Chief Engineer of California Railroad Commission, was appointed November 1, 1945, as member of the State Water Resources Board.

PHILIP DAVID SWING, a resident of San Diego, former Superior Court Judge and Congressman, and expert on Colorado River problems, was appointed November 1, 1945, as member of the State Water Resources Board.

MICHAEL B. KUNZ, a resident of Sacramento, member of the California Unemployment Insurance Appeals Board, and member of the California Employment Stabilization Commission since August 27, 1943, was reappointed August 31, 1945, vice self, term expired.

BEN KOENIG, a resident and attorney of Hollywood, member of the Social Welfare Board since January 27, 1941, was reappointed September 21, 1945, vice self, term expired.

MRS. BERNICE H. CHIPMAN, a resident of San Francisco, active in civic affairs, was appointed September 21, 1945, as a member of the Social Welfare Board.

JOHN C. CUNEO, a resident and business man of Modesto, and a member of the Social Welfare Board since September 14, 1942, was reappointed September 21, 1945, vice self, term expired.

PAUL SCHARRENBERG, a resident of San Francisco, and Chairman of the Industrial Accident Commission since January 29, 1943, was appointed September 15, 1945, as Director of Industrial Relations, Department of Industrial Relations.

ANTHONY RACINE, a resident of Los Angeles, with the War Manpower Commission since 1942, was appointed September 24, 1945, as a member of the Industrial Accident Commission.

ERNEST B. WEBB, a resident of Long Beach, Secretary of the Long Beach Central Labor Council, was appointed September 24, 1945, as member of the Industrial Accident Commission.

DAN MURPHY, JR., a resident of San Francisco, and Attorney for the Industrial Accident Commission for five years, was appointed September 24, 1945, as member of the Industrial Accident Commission.

RALPH E. MUSTOE, a resident and attorney of Los Angeles, former Senior Deputy Counsel of State Compensation Insurance Fund, was appointed September 24, 1945, as member of the Industrial Accident Commission.

EVERETT A. CORTEN, a resident of San Francisco, and Chief Counsel for the Industrial Accident Commission since 1933, was appointed September 24, 1945, as member and Chairman of the Industrial Accident Commission.

SAMUEL CERF, a resident of San Francisco, was appointed September 25, 1945, as member of the State Board of Cleaners.

D. R. WOODARD, a resident of Sacramento, was appointed September 25, 1945, as member of the State Board of Cleaners.

RUDOLPH HENRY, a resident of Los Angeles, was appointed September 25, 1945, as member of the State Board of Cleaners.

JOHN T. FRENCH, a resident of Sacramento, was appointed September 25, 1945, as member of the State Board of Cleaners.

PAUL KOENIG, a resident of Oakland, was appointed September 25, 1945, as member of the State Board of Cleaners.

OTTO PETRI, a resident of Long Beach, was appointed September 25, 1945, as member of the State Board of Cleaners.

WILLIAM GOSS, a resident of Glendale, was appointed September 25, 1945, as member of the State Board of Cleaners.

O. H. CLOSE, a resident of Ione, Superintendent of Preston School of Industry, and member of the Youth Authority since January 20, 1942, was reappointed August 4, 1945, vice self, term expired.

WILLIAM B. MCKESSON, a resident of Los Angeles, former Superior Court Judge of Los Angeles County, was appointed November 1, 1945, as member of the Youth Authority.

H. H. HALE, a resident and farmer of Concord and President of Contra Costa County Soil Conservation District, was appointed December 17, 1945, as member of the State Soil Conservation Commission.

DAVID L. STRATHEARN, resident and farmer of Simi and President of Simi Soil Conservation District, was appointed December 17, 1945, as member of the State Soil Conservation Commission.

ALLEN SACRY, a resident of Willits, City Judge and Clerk of Willits, and a member of the Board of Trustees of Mendocino State Hospital since August 7, 1941, was appointed October 19, 1945, as member of the Board of Trustees of Mendocino State Hospital, for the term prescribed by law.

LEWIS DRUCKER, a resident of La Canada, and member of Adult Authority, Department of Corrections, from May 1, 1944, to September 10, 1945, was reappointed October 22, 1945, vice self, for the term ending March 15, 1947.

GARDNER BULLIS, a resident of Los Angeles, President of the California Conference of Social Workers, was appointed September 26, 1945, as member of the Board of Social Work Examiners.

MRS. M. C. BOUCHER, a resident of San Diego, Historian, and member of the Executive Board of the State Congress of Parents and Teachers, was appointed September 26, 1945, as member of the Board of Social Work Examiners.

MRS. BENJAMIN F. WARMER, a resident of Ontario, and State President of California Federation of Women's Clubs, was appointed September 26, 1945, as member of the Board of Social Work Examiners.

MISS ZDENKA BUBEN, a resident of Los Angeles, and Director of the Bureau of Medical Social Service, Los Angeles County Health Department, was appointed September 26, 1945, as member of the Board of Social Work Examiners.

MISS MAURINE MCKEANY, a resident of Berkeley, and Acting Dean of Social Welfare, University of California, was appointed September 26, 1945, as member of the Board of Social Work Examiners.

REVEREND RAYMOND J. O'FLAHERTY, a resident of Los Angeles, and Executive Director, Catholic Welfare Bureau, Archdiocese of Los Angeles, was appointed September 26, 1945, as member of the Board of Social Work Examiners.

HYMAN KAPLAN, a resident of San Francisco, and Executive Director, Federation of Jewish Charities, was appointed September 26, 1945, as member of the Board of Social Work Examiners.

WILLIAM A. MEINHEIT, a resident and Fire Chief of Berkeley, was appointed September 20, 1945, as member of the State Fire Advisory Board.

JOHN H. ALDERSON, a resident and Fire Chief of Los Angeles, was appointed September 20, 1945, as member of the State Fire Advisory Board.

C. NEAL NIDAY, a resident and Fire Chief of San Bernardino, was appointed September 20, 1945, as member of the State Fire Advisory Board.

HUGH MORRIS, a resident and Fire Chief of San Mateo, was appointed September 20, 1945, as member of the State Fire Advisory Board.

TERRENCE MULLIGAN, a resident and Fire Chief of Sacramento, was appointed September 20, 1945, as member of the State Fire Advisory Board.

SPENCE D. TURNER, a resident and Forester, Fire Warden, and Chief Engineer (Fire District) for County of Los Angeles, was appointed September 20, 1945, as member of the State Fire Advisory Board.

WALTER M. JOHNSON, a resident and Fire Chief of Oceanside, was appointed September 20, 1945, as member of the State Fire Advisory Board.

BART W. ARUNDEL, a resident of Santa Rosa, and Chief of the Fire Department at the United States Army Air Base at Santa Rosa, was appointed September 20, 1945, as member of the State Fire Advisory Board.

C. L. BOLZ, a resident and Fire Chief of Pasadena, was appointed September 20, 1945, as member of the State Fire Advisory Board.

A. J. SULLIVAN, a resident and Fire Chief of San Francisco, was appointed September 20, 1945, as member of the State Fire Advisory Board.

LESTER A. O'BRIEN, a resident and Fire Chief of San Jose, was appointed September 20, 1945, as member of the State Fire Advisory Board.

STATE OF CALIFORNIA
GOVERNOR'S OFFICE, SACRAMENTO 14, January 14, 1946

To The Honorable Members of the Senate
State of California, Sacramento, California

GENTLEMEN: In accordance with my promise at the opening of this session to submit detailed recommendations concerning some of the most important subjects on the Agenda, I desire to transmit herein my views on the question of public works. It is one of the most vital subjects before the Legislature. It affects very materially our ability to perform efficiently the services required by the Constitution and statutes for the general welfare of the people.

The subject involves two main questions: First, the needs of the State for new hospital, correctional, educational, and other facilities; Second, the financial ability of the State to provide them.

It should be emphasized at the outset that for the past 15 years there has been little extension of any of these facilities and no extension of some of them. This was occasioned by the fact that from 1930 to 1943, our finances were out of balance and the State faced a constant deficit. Since 1943, we have had the money but the Federal Government has required all the materials and manpower for the prosecution of the war.

During this 15-year period, our population has increased from less than 6,000,000 people to 9,000,000, or 57.5 per cent. Some of the buildings were inadequate then, and those that were adequate are wholly insufficient now. Our administrative agencies are partially housed in rented structures. Many of them are not suited to our purposes. The public is greatly inconvenienced, and efficient administration is impossible. A large part of the $912,000 we are spending each year for rent could be saved if the State had its own buildings. When leases expire, the rentals are often doubled or even trebled. In Los Angeles, the average rate we were charged in 1940 was 9-1/6 cents per square foot, based on a five-year lease. Now we are being asked to pay 20 cents per square foot for space even less adaptable to our needs. Ten-year leases are being demanded at the higher rate instead of the present five-year terms. Future rentals in proposed buildings are being quoted variously at 25 cents per square foot and up. Rentals in San Francisco have risen from an average of 11 cents per square foot to as much as 20 cents. There are no ceilings on rentals of this kind, and the State is in a helpless position, because the building shortage makes it impossible to find other locations. We should acquire quarters for our activities in all parts of the State where branch offices are maintained. We should have new State office buildings in San Francisco, San Diego, Sacramento, Los Angeles, Oakland, and Fresno, and probably other cities. With adequate office space, the State will be able to operate in a manner which will permit the efficient conduct of the people's business. The present situation is intolerable and becomes more wasteful every day.

This, however, is the brightest side of the picture, because it involves only public inconvenience and waste. When we look at the condition of our State hospitals for the mentally ill and homes for the mentally defective, the picture becomes so sordid as to be shocking. Institutions which were meager for the needs of a State of 6,000,000 people are inadequate today to the point of disgrace. Designed to accommodate 25,263 patients, these institutions today have an occupancy of 31,312. The Assembly Ways

and Means Committee visited the State hospitals last year, and its members have shown a sympathetic interest in improving their present condition. I know they agree with me that the conditions under which treatment has to be attempted are harrowing to every human sensibility.

People mentally and physically ill are sleeping on improvised beds in the corridors and on the floors. The mattresses they set out at night must be stacked up during the day so people can walk around. Rooms which should accommodate one person are occupied sometimes by three, and 40 patients are kept in wards barely large enough for 30.

The buildings themselves are insufficient in size, and in many instances obsolete. Many of them are 60 and 70 years old, constituting fire hazards which endanger the lives of thousands of sick, deranged people whom the State restrains against their will, and for whose safety it has full responsibility. A fire, an earthquake, or a serious epidemic could result in a loss of life that would shock the conscience of every Californian and would be a lasting disgrace. Buildings are still in use which the State Fire Marshal condemned as much as 15 years ago, and the last new hospital built was at Camarillo in 1937. The hospitals are under-staffed, and we shall not be able to staff them properly unless we provide sufficient living quarters for the employees, because many of the institutions are located miles from the nearest community.

The conditions I have described should no longer be tolerated. They must be remedied before it is too late—which means NOW. I appeal to you, therefore, to bring our hospitals up to decent standards and to make provision for our growing needs up to 1950.

The amount which I am recommending that you appropriate for this purpose will enable us to replace the structures that have been condemned. It will enable us to eliminate overcrowding. It will provide treatment facilities, and help us to get out of an "asylum age" into a "hospital age." It will care for the normal increase in requirements which will occur during the construction period, if construction is undertaken promptly.

It costs more to install a hospital, but the eventual cost of an asylum is greater. Treatment and release are cheaper than permanent custodial care and early treatment may return a patient to society cured in a year, while mere custodial care may necessitate his incarceration for the remainder of his life. Many mental ailments can be cured, but locking up a patient in over-crowded, sordid surroundings will never cure him. On the contrary, the experience is so depressing as to retard even the curative forces of nature. Such conditions often cause the patient to fail physically as well as mentally. As an illustration, for the first time in history, we recently made a survey of tuberculosis conditions in our State hospitals and found that 4½ per cent, or almost 1,400, of the patients are suffering from this dreaded affliction. The percentage of the general public so afflicted is less than 2 per cent. Overcrowding, indiscriminate intermingling, and the fact that mental patients frequently have unclean personal habits, contribute materially to this result.

In human and social values, the obligation upon the State to provide modern treatment methods can not be denied. We can not translate into dollars what it means to a man or woman to be able to live a normal life as compared with being a liability to society and a source of grief to loved ones and friends. We can not think of these patients as being the problem of the other fellow. Mental illness can occur in any family, and when that time comes, the State steps in and takes custody of the sick person and confines him in an institution against his will. Therefore, in the truest sense of the word, he becomes the ward of the State and is entitled to every consideration his State can give him in his misfortune.

The facilities of the Department of Corrections and Youth Authority are equally hard pressed. We are trying to accommodate 6,628 prisoners in institutions designed for 5,050. Hundreds of juvenile delinquents—the number right now is 319—who should be in State institutions are being kept indefinitely in detention homes or in county jails which were never equipped or intended for such a purpose.

The State's responsibility with respect to these youngsters is legal, as well as moral. The law expressly prohibits placing persons under 16 years of age in a county jail, except in the case of felony conviction, but juveniles are in county jails because the Youth Authority institutions do not have room for them. When boys and girls get into trouble, we are required to remove them from the unwholesome environment that brought about their delinquency and that might lead to their becoming confirmed criminals, yet under present conditions we are consigning them to an environment even more demoralizing. We, who are in authority, are violating our own laws.

It must be obvious to anyone who reads the newspapers or observes conditions in his own community that the crime pattern which developed following the last war is being repeated. The State must be prepared to deal with it. War has a way of breeding vice, degeneracy, and violence. Our prisons were badly overcrowded in 1940 with a population of 8,706. The number dropped to 5,693 in 1944, but it has climbed back to 6,628 today, and the number is increasing almost hourly. In planning for dealing with the problem, we must figure that our prison population will reach 10,000

by 1950. Unless the State keeps pace with the times and its own growth, it will imperil, through neglect, the safety of our people. The tides of crime wait for no man. The most casual observer can see and feel the rise of the tide that is upon us, and unless the State measures up to its responsibility for suppressing crime, life and property in every part of the State will become insecure.

The new facilities we must have, if we are to cope with the crime problem adequately, include a medical institution, with a capacity of 1,200, which will enable the Department of Corrections to segregate the ill, the diseased, the neurotic and the degenerate from other prisoners. One of our greatest custodial problems is our present inability to segregate the prisoners who are afflicted with abnormalities. When they are in close contact with other prisoners, they demoralize the entire institution. If we are enabled to segregate them, our hope of rehabilitating young first offenders will be materially advanced.

Our University and the State colleges are about to experience the greatest influx of students of all time. During the past five years, hundreds of thousands of California boys and girls were summarily deprived of their right to continue their education. At the age of 18, boys were automatically taken into the armed forces. These young people must not become the forgotten generation. They must be afforded the opportunity and the facilities for catching up with their interrupted preparation for life. The facilities must be made ample to take care of these veterans as well as the steadily increasing number of young people who normally go on from high school to a program of higher learning.

An increase in the student population on all the campuses will result from the vast growth of our State. The University of California conservatively estimates that enrollment in 1950 will reach 35,771 students. In 1928-1929 enrollment was 18,689, and in 10 years it had grown to 27,551. The latter overtaxed the facilities of the University, and an increase to 35,000 students would strain both classroom and laboratory to the point of lowering educational standards.

State-wide in the location of its campuses, and state-wide in its service to the people of California, the University has received appropriations of only $750,000 for capital outlay since 1926. The University has a constitutional responsibility to all the young people of our State, and now particularly to the veteran-student. The State is obligated to provide adequate facilities for this training and education. The development of new industries in California, and the reconversion of wartime industries to the production of the goods of peace, are making heavy demands on our schools for young people trained in research and engineering. Agriculture must be assisted more if it is to meet the postwar competition of other States. Medical educational facilities are inadequate. The study of forestry has never been given adequate housing at the University, although the lumber industry is basic to the prosperity of California. Installation of a forest products laboratory is also now proposed. New buildings for home economics, where young women may be trained as teachers or home-makers, are needed on the several campuses.

Our State colleges are equally in need of a building program. We look to these institutions for the training of our teachers. Their existing capacity is slightly under 7,000 students. We have more than that number enrolled now, and every classroom is filled. Enrollment is expected to reach 15,000 by 1950, and an attendance of between 22,000 and 27,000 is anticipated by 1960. The present enrollment includes 895 returned veterans, and on the basis of present applications their number will be not less than 2,025 for the Spring semester.

If we are to maintain adequate educational opportunities for our children through a well-trained teaching profession, if we are to provide training to the returning veteran for his vocation in life, if we are to make higher education available close to home, facilities of the State colleges must be expanded. Above all, teacher-training facilities must be increased, and increased now. The recommended appropriation will increase their capacity to 11,400 students.

Top priority has been given by the Department of Education in its requests to the need for additional facilities at the California School for the Deaf. The amount recommended for this purpose is $1,510,000. The handicapped children for whom this school is provided deserve an opportunity in life, and they can have it only through the generosity of our great State. The request should be granted cheerfully.

The existing home at Yountville for California veterans who are incapacitated includes a number of obsolete and dilapidated old frame fire-traps which must be replaced. In addition, the capacity of the home must be increased. Following two great wars, the number of veterans who have given years of their lives to the defense of their Country is at an all-time high. It is proposed to enlarge the home now to take care of 2,100 veterans, and eventually this should be increased to 3,000. It is able to accommodate only 1,200 at the present time, and enrollment is 1,229. The emergency appropriation made at the last session will not even get rid of the fire-traps.

The State Capitol must be repaired. An examination of the building recently by the Division of Architecture disclosed a structural failure in the roof. I am recommending the repairs and an appropriation for an addition to the building which will provide needed office space for the Members of the Legislature, more committee rooms, offices for the Legislative Counsel, and other facilities.

The foregoing, and some other items, constitute the minimum needs of the State. Specifically, the items are as follows:

University of California	$30,000,000
Department of Education	13,500,000
Department of Institutions	57,500,000
Department of Corrections	12,200,000
Youth Authority	7,000,000
Veterans' Home	2,400,000
State Capitol and offices	15,800,000
Department of Natural Resources	3,300,000
Department of Motor Vehicles (loan)	3,400,000
Department of Agriculture	400,000
State Agricultural Society and Exposition Park	3,500,000
Miscellaneous repairs and improvements	5,000,000
	$154,000,000

A breakdown of the figures is to be found in the report of the Director of Finance printed in full in your Journal of January 7, 1946.

Both your legislative committees and ourselves have been acting on the assumption that this public works program would be carried through. Under Chapter 18, Stats. Fourth Extraordinary Session, 1944, the Property Acquisition Board was created for the purpose of acquiring sites for the buildings where sites were not already owned by the State. This board consists of two Members of the Senate, two Members of the Assembly, the Director of Finance, the Director of Public Works and the Real Estate Commissioner. It has worked diligently and has been in complete accord in everything that has been done. Sites have been acquired. The Department of Public Works and Department of Finance have been busy in developing the plans and specifications essential to the work. Many of the blueprints are ready for letting contracts at the proper time.

Originally it was estimated that the total cost of this building program would be $120,000,000. There was no dissent to the reasonableness of the amount or as to the buildings to be constructed. However, the $120,000,000 total was based on 1940 costs. In the meantime, the cost of building has increased by nearly one-third. It is now estimated, after very careful consideration, that $154,000,000 is required.

There are other matters, not included in the request for $154,000,000, that in my opinion are the urgent responsibility of the State. First, I believe that action in providing emergency housing can not be delayed. We can not ignore the fact that men, women, and children are sleeping in railroad waiting stations, moving picture theaters, and automobiles. As long as there are structures that can be made habitable, we must help the cities and counties and local housing authorities in making them suitable for occupancy. The critical housing shortage which exists throughout California is not the fault of any community. It is a by-product of the war. Both the Federal and State Governments have a responsibility for remedying the situation in conjunction with the communities involved. The State interest is clear. We have an added responsibility to the returning veteran. It is unthinkable that we should fail to act when thousands of veterans who have returned from foreign battlefields are homeless for reasons wholly beyond their control. The housing shortage in California has developed in almost direct proportion to the rapid increase in our population, because homes could not be built while all the materials needed in their construction were required for the war effort. Reconversion will be delayed, and our economic welfare is in peril, so long as a situation exists in which a workman is unable to move to another city to take a job for the reason that he can not find a house for his family. This situation is a drain on our Unemployment Compensation fund which ought to be avoided.

We can never have a clear conscience as long as any structures are available for housing which are unused. I am recommending an appropriation of $7,500,000 to help pay the cost of converting and moving structures owned by the Federal Government, the use of which has been offered to us within the past month. I not only want to urge that we do this job, but that we do it now, without a day's delay. It must be mighty cold sleeping in parks and automobiles these January nights.

In addition to meeting the emergency housing situation, provision should be made at this session for dealing with its long-range aspects. At the instance of the cities during the Regular Session of 1945, the Legislature enacted the Urban Redevelopment Law, thereby expressing its concern in the manner and extent to which some of our cities are deteriorating, and setting out that the State has an interest in slum clearance and the rehabilitation of blighted areas. If we are going to meet the responsibility thus accepted, we must be willing to put some money into carrying out the act, which is the only practical way of helping the cities to accomplish its purposes. The Urban Redevelopment Act in and of itself will accomplish nothing unless it is implemented and used in accordance with its intent. As I see it, that intent is to eliminate conditions which contribute to disease and delinquency. There is no denying that one of the worst sources of crime and epidemic is the crowded, dilapidated, unsanitary, poorly

ventilated, treeless slum area. I therefore recommend that $10,000,000 be appropriated for the purpose.

We have hundreds of impoverished school districts in California that do not have the financial means to provide either suitable buildings or adequate instruction. The children living in those districts are being denied their birthright of a good education. Other districts have become casualties of the war because of population changes and financial limitations. The State has long since recognized its responsibility to the School System. It is therefore my belief that, at a time when we have money in pocket, we should equalize educational opportunities by helping the poorer districts to render more adequate service to the children of the State. They are our future citizens, and it is clearly our duty to give them every opportunity to become useful and happy people. I have estimated that the cost of aiding these districts would amount to $15,000,000, but it is only an estimate. It may be overly conservative. At all events, the need is great, and the State has a direct responsibility to help.

Surveys have forcibly brought to our attention the fact that medical educational facilities in Californa are inadequate. The State falls short of educating enough doctors to meet its needs, and our University considers this among its most important duties. I urge that the University of California Medical Center at San Francisco be completed at a cost of $4,000,000, and that a Medical Center at the University of California at Los Angeles, where none exists at present, be constructed at a cost of $7,000,000.

On the subject of floods, the Legislature at the last session enacted a law (Chap. 1514, Stats. 1945) known as the Water Resources Act, in which it committed the State to the responsibility of making local contributions to enumerated Federal flood control projects in this State. In the aggregate, that obligation amounts to $32,000,000—taking into consideration increases in the cost of rights-of-way since the subject was first discussed.

If we are to be forthright in our bookkeeping and prompt in meeting our obligations, we must set up funds when we have them to take care of every commitment we knowingly and designedly make. I therefore believe that the Legislature should appropriate $32,000,000 for this purpose. Every major flood that is prevented saves millions of dollars to our citizens and often saves human lives as well.

Our forests have been deteriorating year by year, and until this year the State has done nothing to try to restore them to full productivity. In the past, we concerned ourselves only with fire prevention and suppression, but we did nothing to offset the depletion caused by bad forestry practices or other damage. Some of our forests have been depleted to an alarming extent. If the lumber industry of California is to continue as one of the basic industries of the State, we should seriously undertake some program of reforestation. The industry employs 24,195 people and the annual pay roll is over $35,000,000.

A continuous supply of lumber and other forest products is vital to the welfare of our entire State. We are in a situation at this moment where lettuce growers can not find enough crates for moving their product to market. Agriculture needs a billion feet of lumber a year for boxes and crates, and the demand is increasing yearly. Our reforestation program is at least 20 years late. Thousands of acres of forest land have been over-cut. The practice of forestry as a harvest must be promoted. Depletion of the supply of timber has been accelerated by war demands, which also caused premature cutting of second growth trees. The responsibility of the State in the matter of reforestation can not be delayed any longer. I urge this Special Session of the Legislature to appropriate $2,000,000 for the purpose of acquiring both cut-over lands and some virgin timber stands upon which better forestry practices can be studied and developed.

These items last above-mentioned are in addition to the $154,000,000 minimum needs program, and are recapitulated as follows:

Housing	$7,500,000 00
Urban redevelopment	10,000,000 00
School district aid	15,000,000 00
Medical Center, University of California at Los Angeles	7,000,000 00
Medical Center at University of California	4,000,000 00
Flood control	32,000,000 00
Reforestation	2,000,000 00
	$77,500,000 00

These, added to the $154,000,000, make a total of $231,500,000. Each institution and agency of the State Government has submitted its additional requests, which I would urge you to study because it may be that you will determine that some of these also should be undertaken now. They are listed in the Report of the Department of Finance submitted to you January 7, 1946.

Because this program is advocated to meet the responsibilities of the States does not mean that I advocate expenditure of the funds immediately. On the contrary, I am of the opinion that none of the program except those parts of it intended to take care of emergencies should be put in construction at the moment. I do not want to

see the State compete with a home-building program, or with a commercial building program which will create jobs, until materials and manpower are on the market in such quantities as to take care of all such types of construction. I do not advocate removal of buildings under the Urban Redevelopment Act until other homes are available for the families in blighted areas. We do not want to compete in the construction market in any way that would carry us into the whirlpool of inflation or that would contribute to inflation. We want to proceed in a businesslike way on a schedule so timed that the needs of the State will be accomplished, but which will fit in with the whole economy. An Allocation Board should be established to be responsible for determining when authorized construction should be started after taking all the factors into consideration.

I have discussed the needs of the State. The second part of the problem concerns how they are to be financed. The Legislature has set up two funds, one the Postwar Employment Reserve of $145,000,000 and the other the Postwar Unemployment and Construction Fund of $90,000,000. Without earmarking the money for any purpose, it was generally understood that $120,000,000 of the first fund was to be used for State construction. Another $25,000,000 sought for flood control was added to this fund, although no specific commitment was made concerning its use. The Postwar Unemployment and Construction Fund of $90,000,000 is the result of discussions at the last session as to whether or not the State would make appropriations for local construction projects. In the absence of agreement in the Legislature, the $90,000,000 was set up in this fund with the specific statement that it can be used for any construction purpose in which the State is authorized to engage, but without commitment to any type of project.

These two funds, aggregating $235,000,000, are the only moneys that the State has set up for public works, and therefore they are the funds available for public works and the related sites and equipment. It is, therefore, my suggestion that these projects, or as many of them as the Legislature sees fit to authorize, be financed from them.

In conclusion, I would again urge that our obligation to house our State agencies is paramount, and that until this is done we can not rightfully assume that we have a surplus for any other purpose whatsoever. When provision has been made for our State institutions, then, if funds remain, appropriations should be made to fulfill the responsibilities we have assumed in connection with schools, housing, flood control, etc. Until this is done, our responsibilities can never be balanced against our finances and we can not rightfully assume that there is money in the State Treasury for any purpose other than the normal operations of State Government. In this connection I should like to repeat to you what I have said on many other occasions, that for 13 years prior to 1943 the State was constantly operating with a deficit. Since that time, we have assumed financial responsibilities to the counties that cost us millions of dollars each year. It is, therefore, only reasonable to suppose that when the period of lush war revenues has subsided we will again be faced with deficits which will require us either to cut the cost of Government—which experience has taught us can not be done to any great extent in a growing State—or raise the taxes of our already heavily taxed people. It is for this reason that I urge you not to assume that our State has a large surplus until all of our obligations to State Government have been fulfilled.

Respectfully submitted.

EARL WARREN, Governor

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following bills were introduced, and read the first time:

Senate Bill No. 43: By Senator Dillinger—An act to amend Section 65 of the Labor Code, relating to conciliation and arbitration of labor disputes.

Referred to Committee on Labor.

Senate Bill No. 44: By Senator Tenney—An act making an appropriation for the construction of a women's wing at the Veterans' Home of California at Yountville.

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 45: By Senator Tenney—An act making an appropriation for the support of child care centers, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Senate Bill No. 46: By Senator Tenney—An act to amend Sections 19601, 19608, 19613, and 19616 of, and to add Section 19613.5 to, the Education Code, relating to child care centers, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Senate Bill No. 47: By Senators Biggar and Tenney—An act to add Section 986.10 to the Military and Veterans Code, relating to construction financing and minimum structural material standards for 40-year home purchase contracts for veterans.

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 48: By Senators Tenney, Hulse, Crittenden, Powers, Desmond, and Hatfield—An act to amend Section 24626 of the Education Code, relating to the use of county funds for the support and maintenance of extension work in agriculture and home economics.

Referred to Committee on Local Government.

Senate Bill No. 49: By Senators Hatfield, Weybret, Hulse, Crittenden, Powers, and Desmond—An act providing for research and its adaptation to the production, processing, distribution and utilization of agricultural products grown in the State of California and making an appropriation therefor, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Agriculture.

Senate Bill No. 50: By Senators Quinn and Hatfield—An act to amend Sections 751, 820, and 987 of the Military and Veterans Code, relating to the rate of interest on veteran farm and home loans, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 51: By Senators Quinn, Dilworth, and Biggar—An act making an appropriation to the California Veterans Board for expenditures toward the payment of the salaries of county service officers, to take effect immediately.

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 52: By Senator DeLap—An act to amend Sections 3700 and 3701 of the Labor Code, relating to self-insurers under the Workmen's Compensation Law.

Referred to Committee on Labor.

Senate Bill No. 53: By Senator Burns—An act to amend Section 23 of the "District Investigation Act of 1933," relating to special tax and assessment districts.

Referred to Committee on Local Government.

Senate Bill No. 54: By Senators Biggar, Hatfield, Dorsey, Judah, Collier, Crittenden, Jespersen, Tenney, Cunningham, Mixter, Donnelly, Desmond, and Quinn—An act to make an appropriation to the California Polytechnic School for the production of herbs and plants for applied research in the production of resins, gums, and oils for medicinal and

other purposes, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Agriculture.

Senate Bill No. 55: By Senators Quinn and Hatfield—An act to amend Sections 813, 815, 820 and 986.3 of the Military and Veterans Code, relating to the purchase of homes by veterans.

Referred to Committee on Military and Veterans Affairs.

REPORTS OF STANDING COMMITTEES

Committee on Natural Resources

SENATE CHAMBER, SACRAMENTO, January 14, 1946

MR. PRESIDENT: Your Committee on Natural Resources, to which was referred:

Senate Bill No. 5

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 9; committee vote: Ayes 7; absent 2.

FLETCHER, Chairman

Above reported bill re-referred to Committee on Finance.

Committee on Military and Veterans Affairs

SENATE CHAMBER, SACRAMENTO, January 14, 1946

MR. PRESIDENT: Your Committee on Military and Veterans Affairs, to which was referred:

Senate Bill No. 21

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 9; committee vote: Ayes 9.

QUINN, Chairman

Above reported bill re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, January 14, 1946

MR. PRESIDENT: Your Committee on Military and Veterans Affairs, to which was referred:

Senate Bill No. 24

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be re-referred to Committee on Finance.

Committee membership 9; committee vote: Ayes 9.

QUINN, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, January 14, 1946

MR. PRESIDENT: Your Committee on Military and Veterans Affairs, to which was referred:

Senate Bill No. 26

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 9.

QUINN, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, January 14, 1946

MR. PRESIDENT: Your Committee on Military and Veterans Affairs, to which was referred:

Senate Bill No. 27

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be re-referred to Committee on Finance.

Committee membership 9; committee vote: Ayes 9.

QUINN, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, January 14, 1946

MR. PRESIDENT: Your Committee on Military and Veterans Affairs, to which was referred:

Senate Joint Resolution No. 1

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

Committee membership 9; committee vote: Ayes 9.

QUINN, Chairman

Above reported resolution ordered to second reading.

SENATE CHAMBER, SACRAMENTO, January 14, 1946

MR. PRESIDENT: Your Committee on Military and Veterans Affairs, to which was referred:

Senate Joint Resolution No. 2

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

Committee membership 9; committee vote: Ayes 9.

QUINN, Chairman

Above reported resolution ordered to second reading.

Committee on Governmental Efficiency

SENATE CHAMBER, SACRAMENTO, January 15, 1946

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 17

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 11.

SWING, Chairman

Above reported bill ordered to second reading.

MOTION TO APPROVE SENATE JOURNALS

Senator Seawell moved that the Senate Journals of Monday, January 7, 1946; Tuesday, January 8, 1946; Wednesday, January 9, 1946; Thursday, January 10, 1946; and Friday, January 11, 1946, be approved as corrected by the Minute Clerk and the Journal Clerk.

Motion carried.

THE FOLLOWING PROPOSED BILLS WERE READ, AND REFERRED TO COMMITTEE ON RULES

By Senator Mayo—An act to amend Section 16 of an act entitled "An act making an appropriation for allocation to cities, counties, and cities and counties to develop a Postwar Public Works Program comprising the preparation of surveys and plans and specifications for proposed public works and the acquisition of rights-of-way and sites for major streets, roads, bridges, sewerage and other public facilities, and providing the procedure for making such allocations," approved June 20, 1944, relating to allocations by the State for the cost of acquisition of rights-of-way and sites for public works projects.

By Senator Weybret—An act to provide for the making of a survey of the hospital and health center facilities and needs of the State and the development of a Program for the Construction of Hospitals, and Health Centers, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

By Senators Quinn and Hatfield—An act to add Section 701 to the Military and Veterans Code, relating to the acceptance of guarantees by the United States of veterans' farm and home purchases.

By Senator Quinn—An act to add Section 10182 to the Education Code, relating to the instruction by correspondence of veterans enrolled in schools or classes of school districts.

By Senator Quinn—An act to make an appropriation to the Vocational Education Fund for an Apprenticeship Training Program for Veterans, declaring the urgency of the act to take effect immediately.

By Senator Carter—An act to amend Section 2302 of the Health and Safety Code, relating to the maximum rate of tax for mosquito abatement districts, declaring the urgency thereof, to take effect immediately.

By Senators Shelley, Breed, and Tenney—An act to amend Section 9102 of the Government Code, relating to the salaries of employees in the Legislative Offices in Alameda, Los Angeles and San Francisco.

By Senator Desmond—An act to provide for the establishment, organization, government and powers of community service districts, authorizing such districts to levy taxes, and to incur bonded indebtedness for improvements.

By Senators Tenney, Burns, and Dilworth—Relative to proposed reparations to Japanese detained during the war in United States relocation centers, and memorializing Congress in regard thereto.

WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 41

Senator Crittenden moved that Senate Bill No. 41 be withdrawn from Committee on Water Resources, and referred to Committee on Finance.

Motion carried.

ADJOURNMENT

At 2.30 p.m., on motion of Senator Seawell, the President declared the Senate adjourned until 11 a.m., Wednesday, January 16, 1946.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-SIXTH (FIRST EXTRAORDINARY) SESSION

SENATE DAILY JOURNAL

EIGHTH LEGISLATIVE DAY
TENTH CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO
Wednesday, January 16, 1946

The Senate met at 11 a.m.

Hon. Jerrold L. Seawell, President pro tempore of the Senate, presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, Delap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—39.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Dr. Clarence A. Kircher.

LEAVES OF ABSENCE FOR THE DAY

The following Senator was granted leave of absence for the day:

Senator Dorsey, on motion of Senator Powers, due to legislative business.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 16, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 9.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following resolution was read:

Assembly Concurrent Resolution No. 9—Relative to Edward K. Strobridge.

Request for Unanimous Consent

Senator Breed asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 9, at this time, for consideration.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 9

Assembly Concurrent Resolution No. 9—Relative to Edward K. Strobridge.

Resolution read, and adopted by a rising vote of the following Senators:

Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—39.

Resolution ordered transmitted to the Assembly.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 16, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 17	Assembly Bill No. 70
Assembly Bill No. 65	Assembly Bill No. 72
Assembly Bill No. 71	Assembly Bill No. 74

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

ASSEMBLY CHAMBER, SACRAMENTO, January 16, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 8

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were read the first time:

Assembly Bill No. 17—An act making an appropriation to the Department of Finance to cover additional cost of construction, improvements, and equipment, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Rules.

Assembly Bill No. 65—An act to add Sections 20602.2 and 20602.7 to the Government Code, relating to veterans, and providing for their rights and privileges as members of the State Employees' Retirement System, to take effect immediately.

Referred to Committee on Rules.

Assembly Bill No. 71—An act to amend Section 5082 of the Business and Professions Code, relating to the registration of veterans as public accountants.

Referred to Committee on Rules.

Assembly Bill No. 70—An act to repeal Sections 877, 981.6, and 985.4 of the Military and Veterans Code, relating to eligibility of veterans for educational aid and farm and home purchases.

Referred to Committee on Rules.

Assembly Bill No. 72—An act to amend Sections 395.2 and 395.8 of the Military and Veterans Code, and Section 13204.1 of the Education Code, and Section 19393 of the Government Code, relating to the reinstatement of public employees after release from military service and service in the Merchant Marine or the American Red Cross.

Referred to Committee on Rules.

Assembly Bill No. 74—An act to add Section 701 to the Military and Veterans Code, relating to the acceptance of guarantees by the United States of veterans' farm and home purchases.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 8—Relative to commending the members of the California State Guard, and requesting The Adjutant General to procure a suitable pin for presentation to each released member as evidence of his honorable discharge.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 15, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 1—An act making an appropriation for the contingent expenses of the Senate, without regard to fiscal years, including committee expenses, to take effect immediately;

And reports that the same has been correctly enrolled, and presented to the Governor on the fifteenth day of January, 1946, at 2.30 p.m.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 15, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Assembly Joint Resolution No. 2

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 4; absent 1.

SEAWELL, Chairman

Above reported resolution ordered to third reading.

SENATE CHAMBER, SACRAMENTO, January 15, 1946

MR. PRESIDENT: Your Commitee on Rules, to which were referred:

Proposed Senate Bill No. 61

Proposed Senate Bill No. 63

Has had the same under consideration, and finds that same are within the purview of the call, and directs that they be referred to the Committee on Local Government.

Committee membership 5; committee vote: Ayes 4; absent 1.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 15, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Proposed Senate Bill No. 57

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Public Health and Safety.

Committee membership 5; committee vote: Ayes 4; absent 1.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 15, 1946

MR. PRESIDENT: Your Commitee on Rules, to which were referred:

Proposed Senate Bill No. 58
Proposed Senate Joint Resolution No. 3

Has had the same under consideration, and finds that same are within the purview of the call, and directs that they be referred to the Committee on Military and Veterans Affairs.

Committee membership 5; committee vote: Ayes 4; absent 1.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 15, 1946

MR. PRESIDENT: Your Commitee on Rules, to which were referred:

Proposed Senate Bill No. 56
Proposed Senate Bill No. 62
Assembly Joint Resolution No. 3

Has had the same under consideration, and finds that same are within the purview of the call, and directs that they be referred to the Committee on Governmental Efficiency.

Committee membership 5; committee vote: Ayes 4; absent 1.

SEAWELL, Chairman

Above reported Assembly resolution re-referred to Committee on Governmental Efficiency.

SENATE CHAMBER, SACRAMENTO, January 15, 1946

MR. PRESIDENT: Your Committee on Rules, to which were referred:

Proposed Senate Bill No. 60
Assembly Bill No. 16

Has had the same under consideration, and finds that same are within the purview of the call, and directs that they be referred to the Committee on Finance.

Committee membership 5; committee vote: Ayes 4; absent 1.

SEAWELL, Chairman

Above reported Assembly bill re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, January 15, 1946

MR. PRESIDENT: Your Committee on Rules, to which were referred:

Proposed Senate Bill No. 59
Assembly Bill No. 35
Assembly Bill No. 10

Has had the same under consideration, and finds that same are within the purview of the call, and directs that they be referred to the Committee on Education.

Committee membership 5; committee vote: Ayes 4; absent 1.

SEAWELL, Chairman

Above reported Assembly bills re-referred to Committee on Education.

SENATE CHAMBER, SACRAMENTO, January 15, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Assembly Bill No. 8

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Judiciary.

Committee membership 5; committee vote: Ayes 4; absent 1.

SEAWELL, Chairman

Above reported bill re-referred to Committee on Judiciary.

Committee on Agriculture

SENATE CHAMBER, SACRAMENTO, January 16, 1946

MR. PRESIDENT: Your Committee on Agriculture, to which was referred:

Senate Bill No. 34

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 8; absent 3.

CRITTENDEN, Chairman

Above reported bill ordered to second reading.

Committee on Military and Veterans Affairs

SENATE CHAMBER, SACRAMENTO, January 14, 1946

MR. PRESIDENT: Your Committee on Military and Veterans Affairs, to which was referred:

Senate Bill No. 29

Has had the same under consideration, and reports the same back with amendment with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 9.

QUINN, Chairman

Above reported bill ordered to second reading.

Committee on Finance

SENATE CHAMBER, SACRAMENTO, January 16, 1946

MR. PRESIDENT: Your Committee on Finance, to which was referred:

Senate Bill No. 31

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 10; absent 1.

RICH, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, January 16, 1946

MR. PRESIDENT: Your Committee on Finance, to which was referred:

Assembly Bill No. 2

Has had the same under consideration, and reports the same back with amendment with the recommendation: Amend, and do pass, as amended.

Committee membership 11; committee vote: Ayes 10; absent 1.

RICH, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, January 16, 1946

MR. PRESIDENT: Your Committee on Finance, to which was referred:

Senate Bill No. 41

Has had the same under consideration, and reports the same back with amendment with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 10; absent 1.

RICH, Chairman

Above reported bill ordered to second reading.

Committee on Military and Veterans Affairs

SENATE CHAMBER, SACRAMENTO, January 15, 1946

MR. PRESIDENT: Your Committee on Military and Veterans Affairs, to which was referred:

Senate Bill No. 42

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 8; absent 1.

QUINN, Chairman

Above reported bill ordered to second reading.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following bills were introduced, and read the first time:

Senate Bill No. 56: By Senator Mayo—An act to amend Section 16 of an act entitled "An act making an appropriation for allocation to cities, counties, and cities and counties to develop a postwar public works program comprising the preparation of surveys and plans and specifications for proposed public works and the acquisition of rights of way and sites for major streets, roads, bridges, sewerage and other public facilities, and providing the procedure for making such alloca

tions," approved June 20, 1944, relating to allocations by the State for the cost of acquisition of rights of way and sites for public works projects.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 57: By Senator Weybret—An act to provide for the making of a survey of the hospital and health center facilities and needs of the State and the development of a Program for the Construction of Hospitals, and Health Centers, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Public Health and Safety.

Senate Bill No. 58: By Senators Quinn and Hatfield—An act to add Section 701 to the Military and Veterans Code, relating to the acceptance of guarantees by the United States of veterans' farm and home purchases.

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 59: By Senator Quinn—An act to add Section 10182 to the Education Code, relating to the instruction by correspondence of veterans enrolled in schools or classes of school districts.

Referred to Committee on Education.

Senate Bill No. 60: By Senator Quinn—An act to make an appropriation to the Vocational Education Fund for an Apprenticeship Training Program for Veterans, declaring the urgency of the act, to take effect immediately.

Referred to Committee on Finance.

Senate Bill No. 61: By Senator Carter—An act to amend Section 2302 of the Health and Safety Code, relating to the maximum rate of tax for mosquito abatement districts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Local Government.

Senate Bill No. 62: By Senators Shelley, Breed, and Tenney—An act to amend Section 9102 of the Government Code, relating to the salaries of employees in the Legislative Offices in Alameda, Los Angeles and San Francisco.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 63: By Senator Desmond—An act to provide for the establishment, organization, government and powers of community service districts, authorizing such districts to levy taxes, and to incur bonded indebtedness for improvements.

Referred to Committee on Local Government.

Senate Joint Resolution No. 3: By Senators Tenney, Burns, and Dilworth—Relative to proposed reparations to Japanese detained during the war in United States relocation centers, and memorializing Congress in regard thereto.

Referred to Committee on Military and Veterans Affairs.

THE FOLLOWING PROPOSED BILLS WERE READ, AND REFERRED TO COMMITTEE ON RULES

By Senators Slater and Quinn—An act to add Section 14495.1 to the Education Code, relating to the contributions of veterans, to funds of the State Teachers Retirement System, declaring the urgency thereof, to take effect immediately.

By Senators Tenney, Burns, Desmond, and Fletcher—An act making an appropriation to the Department of Mental Hygiene for additional out-patient clinics, and declaring the urgency thereof, to take effect immediately.

MOTION TO RE-REFER SENATE BILL NO. 41

Senator Jespersen moved that Senate Bill No. 41 be taken from the second reading file, and be re-referred to Committee on Water Resources.

Motion carried.

CONSIDERATION OF DAILY FILE

SECOND READING OF SENATE BILLS

Senate Concurrent Resolution No. 8—Relative to the creation of a Joint Special Committee on Federal Tideland Legislation.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

On page 2, line 35, of the printed measure, insert "three thousand dollars ($3,000)".

Amendment read and adopted.

Motion to Amend

Senator Breed moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 25, of the printed measure, after "Senate," insert "at Washington, D. C.,".

Amendment No. 2

On page 2 of the printed measure, between lines 30 and 31, insert
"(d) To leave the State of California and to hold meetings outside of the State to accomplish the objects and purposes of this resolution."

Amendment No. 3

On page 2, line 31, of the printed measure, strike out "(d)", and insert "(e)".

Amendment No. 4

On page 2 of the printed measure, strike out line 35, and insert
"6. The sum of three thousand dollars ($3,000) or so much".

Amendments read and adopted.

Resolution ordered printed, engrossed, and to third reading.

Senate Bill No. 12—An act to amend Section 15n of the Municipal Utility District Act, relating to municipal utility districts, authorizing the temporary use of utility district funds for special districts for sewage

disposal purposes, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 39—An act to amend Section 5 of an act entitled "An act relating to the determination of the wartime population of cities or cities and counties for purposes of allocation of moneys from the State Highway Fund and from the Motor Vehicle License Fee Fund for expenditures therein, and declaring the urgency thereof," approved May 18, 1943, relating to the time said act remains in effect, and declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 24—An act to authorize the Department of Finance to acquire surplus property from the United States for the purpose of furnishing housing facilities for veterans attending universities and colleges and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Military and Veterans Affairs:

Amendment No. 1

On page 1, line 1, of the printed bill, in the blank space, insert "two hundred fifty thousand", and "($250,000)".

Amendment read and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

Senate Bill No. 26—An act to repeal Sections 877, 981.6, and 985.4 of the Military and Veterans Code, relating to eligibility of veterans for educational aid and farm and home purchases.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 27—An act making an appropriation for the construction of a women's dormitory at the Veterans' Home of California.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military and Veterans Affairs:

Amendment No. 1

On page 1, line 2, of the printed bill, strike out "two hundred fifty", and insert "three hundred".

Amendment No. 2

On page 1, line 3, of the printed bill, strike out "$250,000", and insert "$300,000".

Amendments read and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

Senate Joint Resolution No. 1—Relative to memorializing the President and the Congress of the United States regarding the release from the armed forces of members of the California Highway Patrol.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military and Veterans Affairs:

Amendment No. 1

On page 1 of the printed measure, strike out lines 1 to 3, inclusive, and insert
"WHEREAS, Latest official figures reveal that there were three times as many traffic casualties in the United States as there were casualties in the armed forces during the late war between December 7, 1941, and August 14, 1945; and
WHEREAS, Three thousand six hundred and seventy-seven persons were killed in traffic accidents on California highways in 1945, a 36 per cent increase over the number of fatalities occurring in 1944, and the highest in history; and".

Amendment No. 2

On page 1, line 5, of said measure, after "gasoline", insert ", paid motor vehicle registrations have been in excess of three million, and".

Amendment No. 3

On page 1 of said measure, between lines 11 and 12, insert
"WHEREAS, As of January 2, 1946, there were 163 members of the California Highway Patrol absent on leave for service in the armed forces of the United States; and".

Amendments read and adopted.

Resolution ordered printed, engrossed, and to third reading.

Senate Joint Resolution No. 2—Relative to memorializing the President and Congress of the United States to declare as surplus all unnecessary building materials held by the armed forces and to provide preference rights to veterans in sales of such materials.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Military and Veterans Affairs:

Amendment No. 1

On page 1, line 1, of the printed measure, after "of", and before "hostilities", insert "actual".

Amendment read and adopted.

Resolution ordered printed, engrossed, and to third reading.

Senate Bill No. 17—An act to repeal Section 38g of the Alcoholic Beverage Control Act, relating to the authority of the State Board of Equalization to regulate by rule the wholesale marketing and distribution of beer.

Bill read second time, ordered engrossed, and to third reading.

ADJOURNMENT

At 11.27 a.m., on motion of Senator Rich, the President declared the Senate adjourned until 11 a.m., Thursday, January 17, 1946, out of respect to the memory of the late Edward K. Strobridge.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-SIXTH (FIRST EXTRAORDINARY) SESSION

SENATE DAILY JOURNAL

NINTH LEGISLATIVE DAY
ELEVENTH CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO
Thursday, January 17, 1946

The Senate met at 11 a.m.

Hon. Jerrold L. Seawell, President pro tempore of the Senate, presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—40.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Dr. Clarence A. Kircher.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Shelley, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. H. W. Thomas, Parliamentarian, Second District, P. T. A.; and Miss Dorothy Walker of San Francisco.

On request of Senator Fletcher, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Supervisors DeGraff Austin and Dan Rossi of San Diego; Mr. John Vogt, County Road Commissioner, San Diego; Mr. Robert Apity, Executive Secretary, San Diego Highway Development Association; Mrs. Florence Rhodes of San Diego; and Mrs. Elizabeth McNett of La Mesa.

On request of Senators Breed and Fletcher, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Dars Jorgensen of Berkeley.

On request of Senator Rich, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Miss Jean Stelter,

civics teacher of Wheatland Union High School, and the following students: Phyllis Arnold, David Beach, Edna Fraser, Jimmy Fukui, Ben Fukui, Kenneth Garrison, Clodell Harris, Herbert Harrison, Marion Harrison, Eddie Jaksich, Jack Lane, Barbara Lefurgy, Mignon Lewis, Dale Millard, Lowell Muck, Bob Nightingale, Leland Silver, Robert Swetzer, Robert Villa, and Clydene Waltz.

President of the Senate Presiding

At 11.07 a.m., Hon. Frederick F. Houser, President of the Senate, presiding.

SECOND REPORT OF STATE RECONSTRUCTION AND REEMPLOYMENT COMMISSION

The following letter of transmittal submitting the Second Report of the State Reconstruction and Reemployment Commission was received:

STATE RECONSTRUCTION AND REEMPLOYMENT COMMISSION

January 10, 1946

Honorable Earl Warren, Governor of California
Honorable Frederick F. Houser, President of the Senate
Honorable Charles W. Lyon, Speaker of the Assembly

This Second Report and Recommendations of the State Reconstruction and Reemployment Commission is presented not only because the law requires the submission of an annual report but also because of its potential importance in assisting in the deliberations of the special reconversion session of the State Legislature. It is being submitted in typewritten form, pending completion of a printed edition, in order to avoid delay in presenting the material. The report covers the calendar year 1945—the crucial months when the war was drawing to a close, and the first months of peace.

Respectfully submitted,

STATE RECONSTRUCTION AND REEMPLOYMENT COMMISSION
C. H. PURCELL, Chairman

ALEXANDER R. HERON
Director of Reconstruction and Employment

Above letter of transmittal read, and the report ordered filed with Secretary of the Senate.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 5	Assembly Bill No. 39
Assembly Bill No. 14	Assembly Bill No. 40
Assembly Bill No. 18	Assembly Bill No. 46
Assembly Bill No. 36	Assembly Bill No. 61
Assembly Bill No. 37	Assembly Bill No. 73

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

Assembly Bill No. 5—An act to extend the effective period of an act entitled "An act relating to the performance by the Department of Public Works of highway and other cooperative work for the Federal Government, making an appropriation for administrative expenses, declaring the urgency thereof, and providing that this act shall take effect immediately," approved February 10, 1943, as amended.

Referred to Committee on Rules.

Assembly Bill No. 14—An act to add Section 973 to the Military and Veterans Code, relating to the county service officer, to take effect immediately.

Referred to Committee on Rules.

Assembly Bill No. 18—An act to repeal Section 2 of Chapter 1235, Statutes of 1945, relating to the period during which provisions of the Agricultural Code governing disposal of garbage from vessels and aircrafts shall be effective.

Referred to Committee on Rules.

Assembly Bill No. 36—An act to amend Section 17704 of, and to add Section 17704.1 to, the Health and Safety Code, relating to apartment houses and hotel buildings.

Referred to Committee on Rules.

Assembly Bill No. 37—An act to amend Section 2496 of the Business and Professions Code providing for increase in annual tax and registration fees.

Referred to Committee on Rules.

Assembly Bill No. 39—An act to repeal the War Production Act, relating to employment and working conditions of female employees, and to revoke all permits issued thereunder.

Referred to Committee on Rules.

Assembly Bill No. 40—An act to repeal the Minors Emergency War Employment Act and to revoke all permits issued thereunder.

Referred to Committee on Rules.

Assembly Bill No. 46—An act to amend Section 18105 of the Health and Safety Code, relating to auto courts and resorts, auto and trailer camps, to take effect immediately.

Referred to Committee on Rules.

Assembly Bill No. 61—An act making an appropriation for the Medical Center of the University of California in San Francisco.

Referred to Committee on Rules.

Assembly Bill No. 73—An act to amend Section 20894.5 of the Government Code, relating to the State Employees' Retirement System, and providing for contributions for persons in the military service.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 16, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 12
Senate Bill No. 17
Senate Bill No. 26
Senate Bill No. 39

And reports the same correctly engrossed.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 17, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Concurrent Resolution No. 8
Senate Joint Resolution No. 1
Senate Joint Resolution No. 2

And reports the same correctly engrossed. SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 16, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Proposed Senate Bill No. 64

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Education.

Committee membership 5; committee vote: Ayes 3; absent 2.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 16, 1946

MR. PRESIDENT: Your Committee on Rules, to which were referred:

Proposed Senate Bill No. 65
Assembly Bill No. 17

Has had the same under consideration, and finds that same are within the purview of the call, and directs that they be referred to the Committee on Finance.

Committee membership 5; committee vote: Ayes 3; absent 2.

SEAWELL, Chairman

Above reported Assembly bill re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, January 16, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Assembly Bill No. 65

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Governmental Efficiency.

Committee membership 5; committee vote: Ayes 3; absent 2.

SEAWELL, Chairman

Above reported bill re-referred to Committee on Governmental Efficiency.

SENATE CHAMBER, SACRAMENTO, January 16, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Assembly Bill No. 71

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Business and Professions.

Committee membership 5; committee vote: Ayes 3; absent 2.

SEAWELL, Chairman

Above reported bill re-referred to Committee on Business and Professions.

SENATE CHAMBER, SACRAMENTO, January 16, 1946

MR. PRESIDENT: Your Committee on Rules, to which were referred:

Assembly Bill No. 70
Assembly Bill No. 72
Assembly Bill No. 74
Assembly Concurrent Resolution No. 8

Has had the same under consideration, and finds that same are within the purview of the call, and directs that they be referred to the Committee on Military and Veterans Affairs.

Committee membership 5; committee vote: Ayes 3; absent 2.

SEAWELL, Chairman

Above reported bills re-referred to Committee on Military and Veterans Affairs.

Committee on Transportation

SENATE CHAMBER, SACRAMENTO, January 16, 1946

MR. PRESIDENT: Your Committee on Transportation, to which was referred:

Senate Bill No. 2

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 11; committee vote: Ayes 9; absent 2.

McCORMACK, Chairman

Above reported bill re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, January 16, 1946

MR. PRESIDENT: Your Committee on Transportation, to which was referred:

Senate Bill No. 11

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; absent 2.

McCORMACK, Chairman

Above reported bill ordered to second reading.

Committee on Institutions

SENATE CHAMBER, SACRAMENTO, January 16, 1946

MR. PRESIDENT: Your Committee on Institutions, to which was referred:

Senate Bill No. 36

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 9; committee vote: Ayes 5; absent 4.

BREED, Chairman

Above reported bill re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, January 16, 1946

MR. PRESIDENT: Your Committee on Institutions, to which was referred:

Senate Bill No. 3

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Finance.

Committee membership 9; committee vote: Ayes 6; absent 3.

BREED, Chairman

Above reported bill ordered to second reading.

Committee on Social Welfare

SENATE CHAMBER, SACRAMENTO, January 17, 1946

MR. PRESIDENT: Your Committee on Social Welfare, to which were referred:

Senate Bill No. 32

Senate Bill No. 33

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 11; committee vote: Ayes 8; noes 1; absent 2.

MAYO, Chairman

Above reported bills re-referred to Committee on Finance.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following bills were introduced, and read the first time:

Senate Bill No. 64: By Senators Slater and Quinn—An act to add Section 14495.1 to the Education Code, relating to the contributions of veterans, to funds of the State Teachers Retirement System, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Senate Bill No. 65: By Senators Tenney, Burns, Desmond, and Fletcher—An act making an appropriation to the Department of Mental Hygiene for additional out-patient clinics, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Finance.

THE FOLLOWING PROPOSED BILLS WERE READ, AND REFERRED TO COMMITTEE ON RULES

By Senator Hatfield—An act relating to the rights of veterans to return to public office or employment upon release from the armed serv-

ices of the United States, and declaring the urgency thereof, to take effect immediately.

By Senator Rich—An act to add Section 2206 to the Health and Safety Code, relating to mosquito abatement districts.

By Senator Rich—An act to provide State assistance of local agencies for the control of mosquitoes, and making an appropriation therefor.

By Senator Gordon—An act to amend Section 16 of an act entitled: "An act making an appropriation for allocation to cities, counties, and cities and counties to develop a Postwar Public Works Program comprising the preparation of surveys and plans and specifications for proposed public works and the acquisition of rights of way and sites for major streets, roads, bridges, sewerage and other public facilities, and providing the procedure for making such allocations," approved June 20, 1944, relating to public works, and declaring the urgency thereof, to take effect immediately.

By Senators Tenney, Parkman, Weybret, Jespersen, DeLap, Fletcher, Judah, Keating, and Salsman—An act making an appropriation to the Division of Beaches and Parks for the establishment and development of riders' and hikers' trails, declaring the urgency hereof, to take effect immediately.

By Senator Biggar—Proposed amendment to Article IV of the Constitution, by adding Section 31e thereto, relative to guaranty of loans on private homes and home development projects.

REPORTS OF STANDING COMMITTEES

Committee on Military and Veterans Affairs

SENATE CHAMBER, SACRAMENTO, January 16, 1946

MR. PRESIDENT: Your Committee on Military and Veterans' Affairs, to which was referred:

Senate Bill No. 23

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 8; absent 1.

QUINN, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, January 16, 1946

MR. PRESIDENT: Your Committee on Military and Veterans' Affairs, to which was referred:

Senate Bill No. 22

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 8; absent 1.

QUINN, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, January 16, 1946

MR. PRESIDENT: Your Committee on Military and Veterans' Affairs, to which was referred:

Senate Bill No. 19

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 8; absent 1.

QUINN, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, January 16, 1946

MR. PRESIDENT: Your Committee on Military and Veterans' Affairs, to which was referred:

Senate Bill No. 55

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 8; absent 1.

QUINN, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE

SECOND READING OF SENATE BILLS

Senate Bill No. 34—An act to repeal Section 2 of Chapter 1235, Statutes of 1945, relating to the period during which provisions of the Agricultural Code governing disposal of garbage from vessels and aircrafts shall be effective.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 29—An act to add Section 4131.5 to, and to amend Section 4300c of, the Political Code, relating to recordation of military discharges and service records and documents of separation from military service.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military and Veterans' Affairs:

Amendment No. 1

In line 4 of the title of the printed bill, after "service", insert ", declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 1, line 7, of said bill, after "Section 4131.", insert

"This section shall remain in effect until 18 months after it becomes effective, and while in effect shall supersede any existing provisions of law with which it is in conflict; but such provisions are not repealed by this section and after this section is no longer effective shall have the same force as though this section had not been enacted."

Amendment No. 3

On page 2 of said bill, after line 47, insert

"SEC. 3. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

Due to the great number of discharges which are being presented for recordation, county recorders report there are frequent delays of months before the discharges can be returned to the veterans. The recordation is necessary for the preservation of the records of veterans, and the veteran is required to have the discharge in his possession in order to secure the rights and privileges guaranteed under State and Federal legislation. In order to enable the recordation to be completed and the discharge returned to the veteran with a minimum loss of time, it is necessary that this act take effect immediately."

Amendments read and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 31—An act making an appropriation to meet a deficiency in the appropriation contained in Chapter 1208, Statutes of 1941, for construction of a dam and pertinent works to impound the waters of Rector Creek in Napa County, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 42—An act to repeal Division 1 and Sections 691, 692, 693, 696, 697, 992, 992.3, 992.4, 1015, 1016, 1017, 1020, 1021, 1028, 1029, 1086, and 1087 of, to add Division 1 to, and to amend Section 1084 of, the Military and Veterans Code, to amend Section 18620 of, and to add Section 18629 to, the Business and Professions Code, providing for the reorganization of the State agencies concerned with veterans and veterans affairs and for matters incidental thereto, including the establishment of a Department of Veterans Affairs, California Veterans Board, and Director of Veterans Affairs and prescribing the powers, duties, purposes, and functions of each, abolishing the Department of Military and Veterans Affairs, creating the Office of The Adjutant General and placing The Adjutant General therein, placing the Division of Athletics in the Department of Professional and Vocational Standards, and providing for the transfer of funds, personnel, property and records.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military and Veterans Affairs:

Amendment No. 1

On page 2, line 44, of the printed bill, strike out "Women's", and insert "Woman's".

Amendment No. 2

On page 2, line 50, of said bill, strike out "Women's", and insert "Woman's".

Amendment No. 3

On page 3, line 5, of said bill, strike out "Women's" and insert "Woman's".

Amendment No. 4

On page 3, line 25, of said bill, after the period, insert "The board shall also appoint a secretary, who shall attend all meetings of the board, keep a full and true record of all its proceedings, preserve at its general office all its books, documents, and papers, and perform such other duties as the board may prescribe."

Amendment No. 5

On page 3, line 42, of said bill, strike out "both veterans or nonveterans, or both," and insert "veterans".

Amendment No. 6

On page 3, line 52, of said bill, strike out "commission", and insert "board".

Amendment No. 7

On page 4, line 23, of said bill, after the second "and", insert "except as otherwise provided in this chapter".

Amendment No. 8

On page 5, line 1, of said bill, strike out "The provisions of Article 2", and insert "Except to the extent inconsistent with the provisions of this chapter, the provisions".

Amendment No. 9

On page 5, line 3, of said bill, strike out "conduct of the".

Amendment No. 10

On page 5, line 3, of said bill, after "Affairs", insert "as if the provisions of said Chapter 2 were set out fully herein".

Amendment No. 11

On page 5 of said bill, strike out line 6, and insert "department mean the director, except that for the purposes of Article 2 of said Chapter 2 it shall also mean both the board and any member of the board to".

Amendment No. 12

On page 5, line 8, of said bill, strike out ", and the director".

Amendments read and adopted.

Bill ordered printed, engrossed, and to third reading.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 2—An act making an appropriation from the State Lands Act Fund for the additional support of the Department of Justice, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance:

Amendment No. 1

On page 1, line 1, of the printed bill, strike out "forty-five", and insert "one hundred".

Amendment No. 2

On page 1, line 2, of the printed bill, strike out "($45,000)", and insert "($100,000)".

Amendments read and adopted.

Bill ordered printed, and to third reading.

THIRD READING OF SENATE BILLS

Senate Bill No. 12—An act to amend Section 15n of the Municipal Utility District Act, relating to municipal utility districts, authorizing the temporary use of utility district funds for special districts for sewage disposal purposes, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Collier, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McBride, McCormack, Mixter, Parkman, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Swing, Tenney, Ward, and Weybret—34.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Collier, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McCormack, Mixter, Parkman, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Swing, Tenney, Ward, and Weybret—33.
NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 39—An act to amend Section 5 of an act entitled "An act relating to the determination of the wartime population of cities or cities and counties for purposes of allocation of moneys from the State Highway Fund and from the Motor Vehicle License Fee Fund for expenditures therein, and declaring the urgency thereof," approved May 18, 1943, relating to the time said act remains in effect, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen,

Judah, Keating, Kuchel, Mayo, McBride, McCormack, Mixter, Parkman, Quinn, Salsman, Seawell, Shelley, Slater, Swing, Tenney, Ward, and Weybret—33.
NOES—None.

Assembly Bill No. 39 passed on file upon request of Senator Hatfield.

RECESS

At 11.45 a.m., on motion of Senator Seawell, the Senate recessed to allow Senator Shelley to introduce the following Labor executives of San Francisco, to the Senate, and to hear the remarks of Mr. Joseph Roberts:

C. J. Haggerty, Secretary, California State Federation of Labor; Joseph Roberts, Chairman Unemployment Insurance Committee, Bay Cities Metal Trades Unions; Al Wynn, Secretary, Bay Cities Metal Trades Council; Timothy Reardon and Anthony Ballerini, committee members.

REASSEMBLED

At 11.57 a.m., the Senate reconvened.
Hon. Frederick F. Houser, President of the Senate, presiding.
Chief Assistant Secretary Cleve V. Taylor at the desk.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 26—An act to repeal Sections 877, 981.6, and 985.4 of the Military and Veterans Code, relating to eligibility of veterans for educational aid and farm and home purchases.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Swing, Tenney, Ward, and Weybret—37.
NOES—None.

Bill ordered transmitted to the Assembly.

Senate Concurrent Resolution No. 8—Relative to the creation of a Joint Special Committee on Federal Tideland Legislation.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Judah, Keating, Kuchel, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Swing, Tenney, Ward, and Weybret—37.
NOES—None.

Resolution ordered transmitted to the Assembly.

Secretary J. A. Beek at the Desk

Senate Joint Resolution No. 2—Relative to memorializing the President and Congress of the United States to declare as surplus all unnecessary building materials held by the armed forces and to provide preference rights to veterans in sales of such materials.

Resolution read.

Previous Question

Senator Rich moved the previous question.

Motion carried.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Judah, Keating, Kuchel, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Swing, Tenney, Ward, and Weybret—36.

NOES—None.

Resolution ordered transmitted to the Assembly.

Senate Bill No. 17—An act to repeal Section 38g of the Alcoholic Beverage Control Act, relating to the authority of the State Board of Equalization to regulate by rule the wholesale marketing and distribution of beer.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hulse, Judah, Keating, Kuchel, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Swing, Tenney, Ward, and Weybret—36.

NOES—None.

Bill ordered transmitted to the Assembly.

THIRD READING OF ASSEMBLY BILLS

Assembly Joint Resolution No. 2—Relative to requesting the Federal Government to declare as surplus property all building materials held but not needed by the armed forces in California, and to effect the immediate release of such materials for housing construction, providing for preference to veterans in the purchase thereof.

Resolution read, and presented by Senator Tenney.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Collier, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Judah, Keating, Kuchel, Mayo, McBride, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Swing, Tenney, Ward, and Weybret—36.

NOES—None.

Resolution ordered transmitted to the Assembly.

MOTION TO PRINT REPORT

Senator Swing moved that the Partial Report of Interim Committee on Fish and Game Problems be printed in the Journal.

Motion carried.

PARTIAL REPORT OF SENATE INTERIM COMMITTEE ON FISH AND GAME PROBLEMS, STATE OF CALIFORNIA, CREATED BY SENATE RESOLUTION NO. 123, FIFTY-SIXTH REGULAR SESSION

Mr. President and Gentlemen of the Senate

At the last session of the Legislature, you caused a committee to be appointed to make a study of the fish and game needs and problems as they relate to Southern

California. This committee desires to make a progress report concerning its activities. Immediately following the appointment, your committee met and laid out a program of investigation as it related to the southern counties.

In order for the committee to proceed advisedly, it was necessary to determine present facilities as well as the probable requirements in the way of hatcheries, game farms, etc. Our first investigation related to fish hatcheries and rearing ponds. The record furnished by the Fish and Game Department disclosed that 42 fish hatcheries, of various kinds, have heretofore been constructed throughout the State and subsequently abandoned. Of these 42, six were in the southern part of the State, and 36 in the north. The last of such hatcheries to be acquired in Southern California was one at Forest Home, in San Bernardino County. This was acquired in 1932 and destroyed by the floods of 1937-38 and never reconstructed.

As of December 1, 1945, there were 24 hatcheries owned and being operated by the State. This includes, however, the experimental station at Whittier, and experimental station at Kern County which are not in production but which are being given favorable consideration by the commission.

As reported to us by the Division of Fish and Game, the present hatcheries, together with their location, capacity, cost, etc., are as follows:

Alpine County

1. *Alpine Hatchery*, located near Markleeville.
   Capacity—30 troughs.
   Value—$8,139.11.

   This hatchery has been closed during the war and should be abandoned and replaced as soon as another satisfactory site can be found. This hatchery can only be reached and operated during summer months and even then water conditions are unfavorable for growth and health of fish.

Fresno County

2. *Huntington Lake Hatchery*, located near Lakeshore.
   Capacity—6 troughs, 10 tanks, 1 pond.
   Value—$6,664.02.

   This is a seasonal station used largely as a planting base. Fish are transferred to it from the Kings River Hatchery.

3. *Kings River Hatchery*, located 56 miles east of Fresno.
   Capacity—100 troughs.
   Value—$32,970.12.

   The pipe line for this hatchery was washed out in 1937-38. Since that time water has been obtained from river through use of diesel pumps. Since water does not provide satisfactory year-'round growth, hatchery is poorly located for distribution of fish and new Pine Flat Dam will interfere with operation, a replacement site has been sought. Satisfactory well water has been located near Sanger and negotiations for site are under way.

Humboldt County

4. *Prairie Creek Hatchery*, located near Orick.
   Capacity—80 troughs, 4 tanks.
   Value—$45,854.92.

Inyo County

5. *Mt. Whitney Hatchery and Black Rock Rearing Ponds*, located near Independence.
   Capacity—120 troughs, 2 tanks, 8 ponds.
   Value—$98,578.58.

Kern County

6. *Kern Hatchery*, located near Kernville. (Installed by Kern County sportsmen.)
   Capacity—8 ponds, 2 circular tanks.
   Value—$2,144.85 (includes only State investment in equipment).

Lassen County

7. *Lake Almanor Hatchery*, located near Westwood.
   Capacity—96 troughs, 10 tanks, 4 ponds.
   Value—$47,874.14.

Los Angeles County

8. *Whittier Experimental Hatchery*, located near Whittier.
   Capacity—3 temporary ponds.
   Value (no inventory as yet).

Madera County

9. *Madera Hatchery*, located near Bass Lake.
Capacity—6 troughs, 10 tanks.
Value—$4,360.96.
This is a seasonal hatchery which has not been operated during the war.

Mariposa County

10. *Yosemite Hatchery*, located in Yosemite National Park.
Capacity—52 troughs, 4 tanks.
Value—$35,698.19.
A satisfactory site for rearing ponds to be operated in conjunction with this hatchery is badly needed. None has been found to date.

Mono County

11. *Hot Creek Hatchery*, located near Mammoth.
Capacity—28 troughs, 40 ponds, 12 raceways.
Value—$131,000.

Placer County

12. *Mt. Tallac Hatchery*, located near Richardson.
Capacity—52 troughs, 17 tanks.
Value—$14,413.78.
Rearing ponds should be built at this hatchery.

13. *Tahoe Hatchery*, located near Tahoe City.
Capacity—64 troughs.
Value—$41,793.45.

Plumas County

14. *Feather River Hatchery*, located near Clio.
Capacity—60 troughs, 2 ponds.
Value—$28,888.51.

Sacramento County

15. *Central Valleys Hatchery*, located near Elk Grove.
Capacity—19 ponds, 2 tanks.
Value—$56,874.93.
This hatchery is used for rearing bass and other spiny rayed fishes and for handling fish rescued in the central valleys. A main warehouse is also located there.

Santa Cruz County

16. *Brookdale Hatchery*, located near Brookdale.
Capacity—40 troughs, 7 ponds.
Value—$26,366.72.

Shasta County

17. *Burney Creek Hatchery*, located near Burney.
Capacity—100 troughs, 4 ponds.
Value—$36,224.82.
This hatchery will be moved to the newly acquired Crystal Lake Hatchery site a few miles away since a large pond system can be constructed there and present Burney pipe line which would be expensive to reconstruct is in need of replacement.

Sierra County

18. *Yuba River Hatchery*, located near Camptonville.
Capacity—30 troughs.
Value—$8,937.44.

Siskiyou County

19. *Fall Creek Hatchery*, near Copco.
Capacity—116 troughs, 9 ponds.
Value—$51,968.56.

20. *Mt. Shasta Hatchery*, located near Mt. Shasta.
Capacity—464 troughs, 52 ponds.
Value—$187,148.77.

Tulare County

21. *Kaweah Hatchery*, located near Three Rivers.
Capacity—60 troughs.
Value—$27,249.67.
Fish are hatched here to be reared at the two other stations in the county.

22. *Sequoia Hatchery*, located near Visalia.
Capacity—10 circular rearing tanks.
Value—$14,890.00.

23. *Coy Flat Hatchery*, located near Camp Nelson.
Capacity—4 circular rearing tanks.
Value—$1,672.06.

Tuolumne County

24. *Basin Creek Hatchery*, located near Tuolumne.
Capacity—80 troughs, 9 tanks.
Value—$39,160.64.

(In addition to the foregoing, there should be added the Fillmore Hatcheries in Ventura County.)

Aside from the experimental plants at Whittier and in Kern County, only one hatchery (Fillmore) is in Southern California.

The department also furnished the committee with the hatchery production and costs per pound of fish, as produced by the State, as follows:

Fish Hatchery Production and Costs 1943
(Latest date available)

	Direct cost of operation	Value of fish, eggs or services to other hatcheries	Value of fish, eggs or services from other hatcheries	Net cost of producing and planting trout	Pounds of trout and salmon produced	Cost per pound
Basin Creek	$7,817 04		$1,396 00	$9,213 04	2,146	$4 29
Brookdale	9,605 26		500 00	10,105 26	5,161	1 96
*Black Rock			23,932 40	23,932 40	53,471	45
Burney	7,044 64		1,920 00	8,964 64	4,316	2 07
Central Valleys	7,241 64					
Coy Flat	1,237 63		222 00	1,459 63	1,246	1 17
Fall Creek	7,570 94	$250 00	125 00	7,445 94	4,954	1 50
Feather River	5,142 22		799 00	5,941 22	393	15 12
Fillmore	30,779 71	1,980 00	1,817 50	30,617 21	75,856	40
Hot Creek	35,700 48	4,315 00	3,768 00	35,153 48	75,895	46
Kaweah	5,652 59	1,080 00	921 50	5,494 09	793	7 50
Kern	4,968 10		468 75	5,436 85	3,084	1 76
Kings River	8,831 65		340 00	9,171 65	2,048	4 48
Lake Almanor	8,957 25		1,691 25	10,648 50	1,856	5 74
Madera	5,451 56		470 00	5,921 56	922	6 42
Mt. Shasta	59,600 08	8,330 00	838 00	52,108 08	18,581	2 80
Mt. Tallac	4,961 42		4,184 00	9,145 42	4,568	2 00
Mt. Whitney	37,847 47	22,641 15	990 00	16,196 32	6,386	2 54
Prairie Creek	8,661 89		1,020 50	9,682 39	2,620	3 69
Sequoia	5,673 91		1,777 25	7,451 16	6,554	1 14
Tahoe	10,890 67	2,178 00	1,911 25	10,623 92	2,216	4 79
Yosemite	5,781 09		1,110 00	6,891 09	1,175	5 86
Yuba River	3,893 67		487 50	4,381 17	761	5 76
Totals	$283,310 91			$285,985 02	275,401	

* Black Rock is operated under Mt. Whitney and there are no direct costs. Prorated cost $23,932.40.

Concerning the cost of fish production at these various hatcheries, Mr. A. C. Taft, Chief of the Bureau, says:

> In making comparisons of the final figures with those of last year these changes should be kept in mind. In addition, in making comparisons between hatcheries it should be kept in mind that they are of three general types. First of all, there are the newer stations such as Hot Creek, Black Rock and Fillmore that were designed for the production of catchable sized trout; second, an intermediate group such as Tallac, Sequoia, Brookdale, Coy Flat and Kern that are operated to produce fish about four inches in length; and third, the remaining group of older stations that are equipped only to rear fingerlings.
>
> * * * * * *
>
> Within each separate group it can be seen that it costs us 40 to 52 cents per pound to rear and plant catchable sized trout at Fillmore, Black Rock and

Hot Creek. I do not believe that the differences between those stations are of much significance and result from temporary conditions that fluctuate from year to year. The costs in the second group of stations, Tallac, Brookdale, Sequoia, Coy Flat and Kern rise to $1.14 to $2 per pound. The increase arises partly from the fact that water conditions at these stations are not so favorable as at those in Group 1, and, secondarily, from the fact that they are for the most part seasonal in operation and, therefore, are not capable of the mass production found at Hot Creek, etc.

In Group 3, the costs are, with one exception, all above $2 per pound. The exception is Fall Creek on the Klamath River where a large part of the production is salmon. It is within this Group 3 that I believe we should scrutinize the figures most closely. In each case where the costs are high it generally means that the hatchery is located on a poor water supply with cold temperatures prevailing throughout a greater part of the year. It is, therefore, within this latter group that improvements in location are most urgently needed and as rapidly as more satisfactory sites can be obtained, these high cost hatcheries should be replaced.

The foregoing data discloses that the Fish and Game Commission has, for more than 10 years, neglected and ignored the needs and demands of Southern California. Not a single hatchery has been constructed or operated in Southern California, except the one at Fillmore, Ventura County. It is also significant that most of the hatcheries are so located that the cost of operation is practically prohibitive.

While your committee has not concerned itself with these particular hatcheries, because they were not within our jurisdiction, it is self-evident that something should be done either to change the location or to improve the facilities, if the expenditure of large sums of sportsmen's money is to continue to support these antiquated plants.

An inspection of the cost of production of fish as reflected by the foregoing report made by the commission, indicates that but three of the present operated hatcheries are being operated economically. The three hatcheries referred to are at Black Rock, where the cost of producing fish is 45 cents per pound, Fillmore, where the cost is 40 cents per pound, and Hot Creek, where the cost is 46 cents per pound. As compared with the cost of production at privately owned hatcheries, even these costs are high.

Only a partial investigation has been made of available lakes and streams in Southern California to determine their maximum fish capacity. In determining the number of fish which can be absorbed in the streams and lakes of Southern California, it is necessary to take into consideration the food possibilities within these various waters.

On the data so far available and without going into detail, or giving the reason for the conclusions reached, the committee is of the opinion that at least 3,000,000 sizable fish should be distributed to the various waters of Southern California, distribution being made periodically during each season, and that these waters will support that many fish.

Mr. Taft has advised the committee that hatcheries and rearing ponds should not be more than 100 miles from the place where the fish are to be planted, and that the economical distance should really not exceed 75 miles. None of the existing hatcheries are within 100 miles of any of the lakes and streams in the Counties of Imperial, San Diego, Orange, Riverside, or San Bernardino, and, therefore, none of the streams or lakes within these counties can be economically supplied with fish from any present source. Therefore, new hatcheries must be provided if we are to give consideration to the needs of the sportsmen within these counties.

The committee has made a careful investigation of and concerning the possible sites for fish hatcheries within the southern part of the State. These investigations resulted in a report to the commission recommending the immediate construction of a hatchery and rearing pond at Whittier; also on the Kern River, near Kernville, Kern County; and on the Mojave River at Victorville. The report to the commission concerning these projects is as follows:

The Whittier Project

An investigation of the Whittier project by our committee, in company with Mr. Taft, Mr. Clanton and others, convinced us that it is a feasible plant and justifies development to its full capacity. The quantity of fish which may be annually produced at this plant will depend upon the extent to which the possibilities are developed. It is reasonably certain, however, that the plant can be so constructed and operated that it will produce 500,000 or more sizeable fish suitable for planting in streams and lakes.

This plant has no complications so far as domestic water use is concerned, and apparently the supply of water is adequate and available for a sizeable plant. The water for this project must be pumped; the lift is light and Mr. Taft has already made inquiries as to the cost of operation and advised the committee that the cost of pumping and operation would not be prohibitive.

In a communication just received from the Commission's Executive Secretary, Mr. Ott, the committee is advised that progress in the development of this project

is delayed for a period of three or four months due to the fact that the Texas Oil Company is drilling a test oil well in that area. If this well is successful, it may prevent further consideration of this site as a proper hatchery site.

The Kern River Project

Through the efforts of the Fish and Game Protective Association of Kern County, and the interested citizens in that locality, a very desirable project was presented to our committee. This project has already been examined by Messrs. Taft and Clanton and has had their approval. Like the Whittier plant, it is not complicated by domestic water users. There seems to be an unlimited quantity of water available for use. It has been roughly estimated that this plant can be developed to a capacity of at least 750,000 sizeable fish suitable for planting. A detailed report of this proposed hatchery has already been presented to your commission by the Chamber of Commerce of Kern County, and by the Fish and Game Protective Association of that county.

The Kern County Chamber of Commerce made a study of the stream and lake requirements within that particular vicinity. There is little, if any, limit to the possibilities to which this plant can be developed. Conditions are so favorable that a plant should be immediately constructed with a capacity of from 750,000 to 1,000,000 fish per year. The Kern County Chamber of Commerce has submitted the following report to the committee:

> After a thorough check of present available water which could be planted from Kern River Hatchery, we feel that a hatchery capable of producing 30 to 40 tons of trout could be well utilized in this area for the following reasons:
>
> 1. At the present time there are 131 miles of trout streams in this area not planted by any hatchery but could be planted from the Kern River Hatchery by truck and pack train if fish were available.
>
> 2. There will be 35 miles of additional river opened in the Kern River Gorge by the trails that will tie in with the State Trail Program.
>
> 3. The lake created by the Isabella Dam will have a shore line of approximately 70 miles and there will also be 30 miles of additional trout water below the dam in lower Kern River Canyon.
>
> 4. With the fine highways leading into this locality, the increase in population in this and the Los Angeles Area, and with the seasonal distribution of fish both before and during the fishing season, the additional output of the hatchery can well be utilized because of the heavy drain on these streams.
>
> 5. The water in this area has proven very favorable for the hatching and the rearing of trout; the season of 1945 showing 2.49 pounds of food to produce a pound of fish at a cost of 50 cents per pound which is one of the lowest in the State. The amount of water available at the hatchery is unlimited.

In view of the necessary delay in proceeding with the Whittier plant, the Kern County project should proceed without further delay.

Mr. Ott, in a letter dated December 24th, says:

> The Kern County ponds construction have been submitted to the Division of Architecture and we are now waiting on them to submit the job to bid.

The Division of Architecture, however, informed the committee that that division has received no request for plans or specifications for the Kern County plant, and have had no request to take any action concerning that plant whatsoever.

Victorville Project

The Victorville project is a pumping project and is similar to both Whittier and Kern County projects. At our suggestion, Mr. Clanton made a number of temperature and other tests and informed us that the water was suitable for hatcheries and rearing ponds.

At the time we visited the site of the proposed project, we were accompanied by representatives of the Desert Fish and Game Association of Victorville. We also were accompanied by the owner of the property. This property, like the Whittier and Kern County projects, is not complicated by domestic users. There is an ample water supply. The lift is exceptionally light. The cost of operation would compare favorably with both the Kern County and the Whittier projects. We had the water supply investigated by Mr. W. P. Rowe, one of the best water authorities of Southern California and the engineer who heretofore made a careful study and report on the Mojave River. The proposed site lies on the upper reaches of the Mojave Valley, and the entire supply of water comes from the run off of Deep Creek and of the west fork of the Mojave River, and the drainage area of the north slope of the San Bernardino Mountains. Mr. Rowe estimates that there is available at least 500 inches of constant pump

flow. Mr. A. J. Kalin of the Pasqual Land and Cattle Company, has offered the State ten to fifteen acres of land, together with the use of wells already developed, for a dollar a year for a 30 year or longer lease. The capacity of this plant will be equal to the Kern County project and perhaps greater than the Whittier project. It is ideally located for serving the streams and lakes in San Bernardino and Riverside Counties and other Southern counties.

No water will be wasted if this project is developed. All water will be put to a beneficial use, although none of it will be used for domestic purposes. As we view this project, it approaches the ideal for which Mr. Taft is always striving.

The committee recommends this project for immediate construction. However, the opportunity and proposal of Mr. Kalin should be accepted without delay, otherwise we may lose this desirable site.

We have urged the commission to act quickly in accepting Mr. Kalin's offer to donate the Victorville site. On January 4, 1946, the committee received a communication from Mr. Ott in relation to such site, in which he says:

> With specific regard to the proposed Victorville hatchery site, we will plan to proceed as rapidly as possible to negotiate a lease with Mr. A. J. Kalin both for permission for experimental work and also for permanent occupancy if the tests are satisfactory.

In answer to our inquiry of Mr. Kalin as to what progress was being made, he, on January 15, 1946, wired the committee as follows:

> Mr. Ott was here in Brawley on some other business and mentioned the Victorville deal did say at the time that he thought that the deal would go through. So far nothing has been done.

Apparently Mr. Ott does not fully appreciate the necessity of entering into actual negotiations for the Victorville property, but is following the usual course of taking his time or else permitting the matter to drift along until the opportunity to acquire this property has passed.

Satisfactory hatchery sites within this State are scarce, and when a really desirable site is available, it should not be lost through inaction or inefficiency.

These three projects, if developed to their full capacity, should be adequate to serve the immediate needs of Southern California in so far as fish development is concerned.

The committee is making a continued study of the requirements of the streams and lakes within San Bernardino and Riverside Counties, which report is not yet complete, but it is safe to say that at least a million fully developed fish can be planted with safety in the lakes and streams in the vicinity of this plant.

The reason the committee devoted its attention to the three projects above mentioned, was because of the adoption by the Legislature in 1945 of Assemblyman Erwin's Bill, Chapter 1439, Stat. 1945, page 2719, by which the Legislature directed the Fish and Game Commission to construct a hatchery in Kern County, in Los Angeles County, and in San Bernardino County. The apparent reluctance of the commission to proceed in accordance with this legislative mandate prompted the committee to select proper sites for such hatcheries and insist upon the legislative mandate being carried into effect.

The estimated cost of each of the foregoing hatcheries is $250,000. The Erwin Bill made the following appropriation: $55,000 for Whittier, $60,000 for Victorville, and $50,000 for Kernville project, which is wholly inadequate. The estimates made by the committee are predicated on the cost of the hatchery at Black Rock, plus the additional cost occasioned by the current increases in cost of wages and material. Each plant, however, justifies the expenditure.

The conditions at Inyo and Mono Counties offer great opportunity for the production of more fish. The Black Rock Hatchery at Inyo County should be expanded to its fullest capacity. So likewise should be the Hot Creek Hatchery, in Mono County. There are other sites in these two counties that offer ideal situations for fish culture and production.

In no other section of the State do natural conditions lend themselves to greater opportunities for the production of fish than do the streams and lakes in these two counties. The cost of expanding Black Rock Hatchery in Inyo County, and the hatchery in Hot Creek, Mono County, is likewise estimated at from $200,000 to $250,000. Other sites which could be developed in that vicinity would run to $200,000 or $300,000 more. The work which this committee urges as of immediate necessity are the hatcheries at Whittier, Victorville, and Kernville, and the expansion of Black Rock and Hot Creek Hatcheries. There should be no delay in proceeding with these hatcheries.

Game Farms

The investigation of the committee discloses that the quail population of the desert regions in Imperial, Riverside, San Bernardino and a part of Los Angeles County is practically extinct. This was caused by the large armies which used this area for training. Water holes have been destroyed, quail either killed, poisoned or otherwise eliminated, rendering this once great hunting area almost worthless for that purpose. A tremendous amount of work is going to be required to revive water conditions and facilities throughout these sections.

Within the counties above mentioned, there are hundreds of thousands of acres of open country free to every hunter. Our problem is to convert this territory into the greatest public hunting ground in the State for upland birds. The feed conditions are adequate. All that will be required is the development of water by natural or artificial means and repopulate the area, and thereafter so regulate its use that every sportsman may have an opportunity at least for a run for his money, insofar as upland birds are concerned. This is entirely feasible, but it requires some considerable additional man power and money as well as careful planning in order to bring it into a realization. In cooperation with Fish and Game officers Platt and Rossier, our committee has made a careful study of these areas. The details of the development are yet in the embryo stage, but without any stretch of the imagination, the possibilities of this tremendous area are obvious to all.

The cost of the work necessary to be done is difficult of estimate, as the number of natural springs which can be developed is yet undetermined. A substitute, however, has been devised which will produce an artificial water spring sufficient to sustain quail covies in the various areas where feed and cover conditions exist. It is highly probable that during the next two years at least $200,000 can be well spent in reviving the upland bird conditions throughout the southern part of the State. This can not be done, however, by the commission unless the reorganization program is carried into effect, and the commission given adequate personnel to do the job as it should be done.

No great effort has recently been made to produce quail, and only a limited number of pheasants have been produced at Chino.

The Chino Game Farm is not suitably located for good production. Other game farms suitable for the production of quail and pheasants should be established in the Banning Region in Riverside County, and in Imperial County. Inyo County likewise offers good opportunities for pheasant production. At least two additional game farms should be constructed in the southern part of the State. One in the Banning Region, where the conditions are most ideal, and one in Imperial County. It is difficult to fix the cost of these game farms, but judging from practical experience, it is safe to say that $100,000 can be very well spent on each of these two game farms, and thereafter extended as conditions justify.

The Fish and Game Commission is most fortunate in having two very capable men now located in southern California. Mr. Eugene Platt, who has charge of the game farm at Chino, understands the work. Mr. Leo Rossier, who has been making a study of the quail situation in southern California, is equally capable in the line of work he has been performing. These two men should join in the selection of the game farms.

Ducks

The duck situation of southern California is peculiar. Duck hunting at Salton Sea and in the Imperial Valley, which was once a duck paradise for the sportsman, has been so circumscribed by rules, regulations and other complications, that the future of Salton Sea as the congregating place for water fowl is in danger of destruction. Those who are familiar with this country will recall that after the creation of Salton Sea, ducks by the millions congregated in this area each season. Those were the days when feeding on private and public clubs could be indulged in, and as a result the hunter of southern California had his opportunity either at a private or public club to get his fair opportunity for a string of ducks.

The Federal prohibition against feeding drove the ducks to the crops of the farmers for sustenance. This resulted in the abandonment of most, if not all, of the great public hunting clubs, where anyone, for a small fee, could go with reasonable assurance of a fair shoot. When feeding stopped, destruction of crops began. This became so serious that the Federal Fish and Wild Life Service permitted duck killing day or night, in or out of season, when necessary for the protection of crops. The killing of ducks in this manner was no longer a sport and ceased to provide the thrill which every sportsman experiences when pitting his ability against the cunning of the duck. It immediately converted the great American sport into a rather heathenish means for protection of crops and the procuring of meat.

So serious became the situation that the Federal Wild Life Service attempted to minimize the damage to crops by enticing ducks in certain areas with the hope of keeping them from the crops. This method was a decided failure. The duck refuge in Salton Sea was then opened to public shooting. This resulted in the killing of many ducks, but still the damage goes on.

Now the Navy has taken over a large part of Salton Sea as a bombing area, and places where the ducks could once rest in peace and quiet are now used as bombing

ranges, thereby driving the ducks from the Sea to the crops of the farmers, or on to Mexico. Though the Federal Wild Life Service has been urged to permit feeding on public shooting grounds and at private clubs, still that department persists in ignoring this means as a solution to serious problems confronting the Imperial Valley. Ducks destroy the crops because they are hungry. They prefer barley to lettuce. If barley could be provided in adequate quantities at public and private clubs throughout the Imperial Valley, the farmer's problem would be partially, if not entirely, solved and the sportsman would be provided with a place to shoot.

The regulation prohibiting the feeding of ducks at private and public clubs was invoked at a time when feeding was only for the purpose of attracting the duck to the kill. The situation in Imperial Valley, however, is one where feeding would entice the duck from the farmer's crop to the ponds on the private and public shooting grounds, where the public would have a sporting chance for a kill. If feeding were permitted, several public shooting grounds could be established, but without such feeding, public shooting grounds would be of little benefit to the sportsman and no help to the farmer.

Our committee expects to devote a considerable study to the duck situation of Southern California, and are still in hopes that a cooperative plan between State Fish and Game and Federal Wild Life Service can be worked out which will provide at least some protection for the farmer, and yet give the sportsman an opportunity to have his chance for a reasonable string of water fowl.

State Park on Lake Havasu

Your committee has investigated the possibilities of a State Park on Lake Havasu, this lake being the ponded area on the Colorado River above Parker Dam. Lake Havasu offers a wonderful opportunity for the development of natural resources in the interest of the sportsmen. For that reason, we have recommended the immediate acquisition of public or Indian lands along the shoreline of Lake Havasu by the State Park Commission, and that a park be developed in the interest of the public so the sportsmen and those interested in recreation will have an opportunity to avail themselves of the fishing and hunting which this great artificial lake will provide. The Federal Wild Life Service at Parker Dam estimated that such a park would be visited by from 50 to 100,000 people the first year, and the number of visitors would be increased as it became better known. It is urgent that these lands be immediately acquired by the State so as to prevent private interests from securing the few available sites suitable for such purposes. At the suggestion of our committee, Mr. Frederick Law Olmsted, a landscape and park architect of the firm of Olmsted and Olmsted, of Massachusetts, heretofore employed by the State Park Commission, has been delegated to make an examination of the proposed park site. He is now engaged in making these investigations, and his report will be available within a reasonable time. If and when this park is acquired and developed, it will certainly afford pleasure and recreation to innumerable people. A similar park should also be established in Imperial County along the lake created by the Imperial Dam.

Reorganization

A most cursory examination of the Administrative Department of the Fish and Game Commission indicates that it is many years behind the times, and miserably undermanned to carry on the work which is so urgently needed in this State. We have heretofore recommended a reorganization of the department, and at the last meeting of the Fish and Game Commission, action was taken to divide the State into six administrative districts, with adequate personnel to carry out both fish and game development in each district. This will require a substantial increase in the commission's budget for administration, and the committee recommends the adoption of a bill which will make available to the commission such sums as shall be determined to be necessary for that purpose. We feel that, with an adequate personnel and a proper districting of the State for administrative purposes, the work of fish and game production can be carried on satisfactorily and with credit to the commission.

With the great demands of the sportsmen of Southern California for action, your committee feels constrained to recommend that all pressure possible be exerted upon the Fish and Game Commission to bring about speedy action in the construction of fish hatcheries, game farms, and the restoration of the quail areas throughout the State.

Your committee will continue its activities throughout the coming summer, and will do everything within its power to aid the commission in carrying out a Game Development Program which will make California's great recreational areas available to the sportsmen who enjoy the great open spaces.

Respectfully,

RALPH E. SWING, Chairman
CHARLES BROWN
NELSON S. DILWORTH

Dated January 17, 1946.

REPORTS OF STANDING COMMITTEES

Committee on Military and Veterans Affairs

SENATE CHAMBER, SACRAMENTO, January 16, 1946

MR. PRESIDENT: Your Committee on Military and Veterans Affairs, to which was referred:

Senate Bill No. 50

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 8; absent 1.

QUINN, Chairman

Above reported bill ordered to second reading.

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 17, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 31

Senate Bill No. 34

And reports the same correctly engrossed.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 17, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Concurrent Resolution No. 1—Relative to Joint Rules of the Legislature;

Senate Concurrent Resolution No. 5—Relative to distribution of legislative printing;

Senate Concurrent Resolution No. 7—Relative to adjournment in memory of James I. Wagy;

Senate Concurrent Resolution No. 10—Relative to approving certain amendments to the charter of the City of Sacramento, a municipal corporation of the State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the sixth day of November, 1945;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the seventeenth day of January, 1946, at 1 p.m.

SEAWELL, Chairman

WITHDRAWAL FROM COMMITTEE OF ASSEMBLY BILL NO. 8

Senator McBride moved that Assembly Bill No. 8 be withdrawn from Committee on Judiciary, for purpose of amendment, and be re-referred to committee.

Motion carried.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 8—An act to validate bonds of zone one of the Ventura County Flood Control District and proceedings relating thereto, and making final and conclusive, as therein provided, the canvass of election returns of the election at which said bonds were voted.

Bill read second time.

Motion to Amend

Senator McBride moved the adoption of the following amendments:

Amendment No. 1

In line 5 of the title of the printed bill, before the period, insert ", and declaring the urgency thereof, to take effect immediately."

Amendment No. 2

On page 1 of said bill, after line 28, insert

"SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of

Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

Flood and storm waters constitute an annual threat to lives and property in Ventura County. The construction of flood control works can best be carried on during the dry season of the year and it is essential that such works be commenced in time to provide facilities for flood control before the next rainy season commences. In order to sell the bonds which are validated by this act in time to provide for the financing of the work of constructing facilities for the control of flood and storm waters in Ventura County and to permit the commencement of such work during the dry season of the year, it is essential that this act take effect immediately."

Amendments read and adopted.

Bill ordered printed, and re-referred to Committee on Judiciary.

RESOLUTIONS

The following resolution was offered:

By Senator Salsman:

Senate Resolution No. 17

Resolved, That the Secretary of the Senate be and he is hereby instructed and directed to order for the Members of the Senate copies of the Larmac Index, the same to be paid for from the Contingent Fund of the Senate.

Resolution read, and referred to Committee on Rules.

ADJOURNMENT

At 12.46 p.m., on motion of Senator Seawell, the President declared the Senate adjourned until 10.30 a.m., Friday, January 18, 1946.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-SIXTH (FIRST EXTRAORDINARY) SESSION

SENATE DAILY JOURNAL

TENTH LEGISLATIVE DAY
TWELFTH CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO
Friday, January 18, 1946

The Senate met at 10.30 a.m.
Hon. Frederick F. Houser, President of the Senate, presiding.
Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Judah, Keating, Kuchel, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—37.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Dr. Clarence A. Kircher.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Fletcher, on motion of Senator Seawell, due to legislative business.

Senator Dilworth, on motion of Senator DeLap, due to legislative business.

Senator Jespersen, on motion of Senator DeLap, due to legislative business.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Slater, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Tom Quinn, U. S. Marines, son of Senator E. T. Quinn.

On request of Lieutenant Governor Houser and Senator Weybret, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Dr. H. Augustine Smith, of Boston, Massachusetts.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Ervin Donald Clark of Novato.

On request of Senator Rich, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following Yuba City Union High School students, who are members of the California Scholarship Federation, and their adviser, Mrs. Alice Berg: John March, Robert Shogren, John Mark, Edward Perry, Raymond Helsem, Alice Orecchia, Elizabeth Fogarty, Betty Ann Klamt, Ida Noreen, Charlene Burnham, Shyrlie Seagren, Judith Anderson, Jack Orzalli, Gerald Harter, Phyllis Noreen, Christine Schmidt, Helen Ulmer, Robert Smith, Everett Currier, Amelia Schreiner, Aubrey Harris, Joe Matthews, Bill Hayter, Harriet Fogarty, Joyce E. Coats, Carolyn Currier, Donna Severtson, Dorothy Hooper, and Marilyn Wilthelm.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 9
Assembly Bill No. 60

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

Assembly Bill No. 9—An act to provide a unified program of construction, improvement, and equipment for State agencies, creating a State Public Works Board, and making an appropriation to carry out the provisions of this act.

Referred to Committee on Rules.

Assembly Bill No. 60—An act making an appropriation for allocation to cities, counties, and cities and counties for the construction of public works in which there is a State interest, providing the procedure for making such allocations, and repealing the Postwar Unemployment and Construction Act.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 18, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 29
Senate Bill No. 42

And reports the same correctly engrossed.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 17, 1946

MR. PRESIDENT: Your Committee on Rules, to which were referred:

Proposed Senate Bill No. 66
Assembly Bill No. 14

Has had the same under consideration, and finds that same are within the purview of the call, and directs that they be referred to the Committee on Military and Veterans Affairs.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

Above reported Assembly bill re-referred to Committee on Military and Veterans Affairs.

SENATE CHAMBER, SACRAMENTO, January 17, 1946

MR. PRESIDENT: Your Committee on Rules, to which were referred:

Proposed Senate Bill No. 67
Proposed Senate Bill No. 68
Assembly Bill No. 36
Assembly Bill No. 37
Assembly Bill No. 46

Has had the same under consideration, and finds that same are within the purview of the call, and directs that they be referred to the Committee on Public Health and Safety.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

Above reported Assembly bills re-referred to Committee on Public Health and Safety.

SENATE CHAMBER, SACRAMENTO, January 17, 1946

MR. PRESIDENT: Your Committee on Rules, to which were referred:

Assembly Bill No. 39
Assembly Bill No. 40

Has had the same under consideration, and finds that same are within the purview of the call, and directs that they be referred to the Committee on Labor.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

Above reported Assembly bills re-referred to Committee on Labor.

SENATE CHAMBER, SACRAMENTO, January 17, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Proposed Senate Bill No. 70

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Natural Resources.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 17, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Assembly Bill No. 5

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Transportation.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

Above reported Assembly bill re-referred to Committee on Transportation.

SENATE CHAMBER, SACRAMENTO, January 17, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Assembly Bill No. 61

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Education.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

Above reported Assembly bill re-referred to Committee on Education.

SENATE CHAMBER, SACRAMENTO, January 17, 1946

MR. PRESIDENT: Your Committee on Rules, to which were referred:

Proposed Senate Bill No. 69
Assembly Bill No. 73
Proposed Senate Constitutional Amendment No. 3

Has had the same under consideration, and finds that same are within the purview of the call, and directs that they be referred to the Committee on Governmental Efficiency.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

Above reported Assembly bill re-referred to Committee on Governmental Efficiency.

SENATE CHAMBER, SACRAMENTO, January 17, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Assembly Bill No. 18

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Agriculture.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

Above reported Assembly bill re-referred to Committee on Agriculture.

SENATE CHAMBER, SACRAMENTO, January 17, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Senate Resolution No. 17

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

Above reported resolution ordered to third reading.

Committee on Governmental Efficiency

SENATE CHAMBER, SACRAMENTO, January 17, 1946

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 37

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 9; noes 2.

SWING, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, January 17, 1946

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 62

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 11.

SWING, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, January 17, 1946

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 56

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; noes 2.

SWING, Chairman

Above reported bill ordered to second reading.

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 18, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred the message from the Governor dated January 14, 1946, appointing:

PROFESSOR B. A. ETCHEVERRY, as member, State Water Resources Board, for the term prescribed by law, ending January 15, 1947;

HOWARD F. COZZENS, as member, State Water Resources Board, for the term prescribed by law, ending January 15, 1948;

R. V. MEIKLE, as member, State Water Resources Board, for the term prescribed by law, ending January 15, 1948;

C. A. GRIFFITH, as member, State Water Resources Board, for the term prescribed by law, ending January 15, 1949;

ROYAL MILLER, as member, State Water Resources Board, for the term prescribed by law, ending January 15, 1949;

LESTER S. READY, as member, State Water Resources Board, for the term prescribed by law, ending January 15, 1947;

PHILIP DAVID SWING, as member, State Water Resources Board, for the four year term prescribed by law, ending January 15, 1950;

Has had the same under consideration, and respectfully reports the same back, and recommends that the appointments of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

CONSIDERATION OF APPOINTMENTS BY THE GOVERNOR

Motion to Confirm Appointments by the Governor

Senator Seawell moved that the Senate confirm and consent to the appointment of Professor B. A. Etcheverry, Howard F. Cozzens, R. V. Meikle, C. A. Griffith, Royal Miller, Lester S. Ready, and Philip David Swing as members of the State Water Resources Board.

The President put the question, "Will the Senate confirm and consent to the appointment of Professor B. A. Etcheverry, Howard F. Cozzens, R. V. Meikle, C. A. Griffith, Royal Miller, Lester S. Ready, and Philip David Swing?"

The roll was called, with the following result:

AYES—Senators Biggar, Brown, Crittenden, Cunningham, DeLap, Deuel, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Judah, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Slater, Sutton, Swing, Ward, and Weybret—28.

NOES—None.

Appointment Confirmed

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Professor B. A. Etcheverry, Howard F. Cozzens, R. V. Meikle, C. A. Griffith, Royal Miller, Lester S. Ready, and Philip David Swing, as members of the State Water Resources Board.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 18, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred the message from the Governor, dated January 14, 1946, appointing:

MICHAEL B. KUNZ, as member, California Unemployment Insurance Appeals Board, and Member of the California Employment Stabilization Commission, vice self; term expired, for the term prescribed by law;

Has had the same under consideration, and respectfully reports the same back, and recommends that the appointment of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

CONSIDERATION OF APPOINTMENT BY THE GOVERNOR

Motion to Confirm Appointment by the Governor

Senator Seawell moved that the Senate confirm and consent to the appointment of Michael B. Kunz as a member of the California Unemployment Insurance Appeals Board, and member of the California Employment Stabilization Commission.

The President put the question, "Will the Senate confirm and consent to the appointment of Michael B. Kunz?"

The roll was called, with the following result:

AYES—Senators Biggar, Breed, Brown, Carter, Crittenden, Cunningham, DeLap, Deuel, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Judah, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Slater, Sutton, Swing, Tenney, Ward, and Weybret—31.

NOES—None.

Appointment Confirmed

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Michael B. Kunz as a member of the California Unemployment Insurance Appeals Board, and member of the California Employment Stabilization Commission.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 18, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred the message from the Governor dated January 14, 1946, appointing:

BEN KOENIG, as member, Social Welfare Board, vice self, term expired, for the term prescribed by law;

MRS. BERNICE H. CHIPMAN, as member, Social Welfare Board, vice self, term expired, for the four year term prescribed by law, ending January 15, 1950;

JOHN C. CUNEO, as member, Social Welfare Board, vice self, for the term prescribed by law;

Has had the same under consideration, and respectfully reports the same back, and recommends that the appointments of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

CONSIDERATION OF APPOINTMENTS BY THE GOVERNOR

Motion to Confirm Appointments by the Governor

Senator Seawell moved that the Senate confirm and consent to the appointment of Ben Koenig, Mrs. Bernice H. Chipman, and John C. Cuneo as members of the Social Welfare Board.

The President put the question, "Will the Senate confirm and consent to the appointment of Ben Koenig, Mrs. Bernice H. Chipman, and John C. Cuneo?"

The roll was called, with the following result:

AYES—Senators Biggar, Breed, Brown, Carter, Crittenden, Cunningham, DeLap, Deuel, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Kuchel, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Ward, and Weybret—31.

NOES—None.

Appointments Confirmed

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Ben Koenig, Mrs. Bernice H. Chipman, and John C. Cuneo as members of the Social Welfare Board.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 18, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred the message of the Governor dated January 14, 1946, appointing:

PAUL SCHARRENBERG, as Director of Industrial Relations, Department of Industrial Relations, for the term at the pleasure of the Governor;

Has had the same under consideration, and respectfully reports the same back, and recommends that the appointment of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

CONSIDERATION OF APPOINTMENT BY THE GOVERNOR

Motion to Confirm Appointment by the Governor

Senator Seawell moved that the Senate confirm and consent to the appointment of Paul Scharrenberg as Director of Industrial Relations, Department of Industrial Relations.

The President put the question, "Will the Senate confirm and consent to the appointment of Paul Scharrenberg?"

The roll was called, with the following result:

AYES—Senators Biggar, Breed, Brown, Crittenden, Cunningham, DeLap, Deuel, Gordon, Hatfield, Hulse, Judah, Keating, Kuchel, McBride, McCormack, Mixter, Parkman, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Swing, Ward, and Weybret—26.

NOES—None.

Appointment Confirmed

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Paul Scharrenberg as Director of Industrial Relations, Department of Industrial Relations.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 18, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred the message from the Governor dated January 14, 1946, appointing:

SAMUEL CERF, as member, State Board of Cleaners, for the term prescribed by law, ending January 15, 1947;

D. R. WOODARD, as member, State Board of Cleaners, for the term prescribed by law, ending January 15, 1947;

RUDOLF HENRY, as member, State Board of Cleaners, for the term prescribed by law, ending January 15, 1949;

JOHN T. FRENCH, as member, State Board of Cleaners, for the four-year term prescribed by law, ending January 15, 1950;

PAUL KOENIG, as member, State Board of Cleaners, for the four-year term prescribed by law, ending January 15, 1950;

WILLIAM GOSS, as member, State Board of Cleaners, for the term prescribed by law, ending January 15, 1947;

OTTO PETRI, as member, State Board of Cleaners, for the four-year term prescribed by law, ending January 15, 1950;

Has had the same under consideration, and respectfully reports the same back, and recommends that the appointments of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

CONSIDERATION OF APPOINTMENTS BY THE GOVERNOR

Motion to Confirm Appointments by the Governor

Senator Seawell moved that the Senate confirm and consent to the appointment of Samuel Cerf, D. R. Woodard, Rudolph Henry, John T. French, Paul Koenig, William Goss, and Otto Petri as members of the State Board of Cleaners.

The President put the question, "Will the Senate confirm and consent to the appointment of Samuel Cerf, D. R. Woodard, Rudolph Henry, John T. French, Paul Koenig, William Goss, and Otto Petri?"

The roll was called, with the following result:

AYES—Senators Biggar, Breed, Brown, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Judah, Keating, Kuchel, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Ward, and Weybret—32.

NOES—None.

Appointments Confirmed

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Samuel Cerf, D. R. Woodard, Rudolph Henry, John T. French, Paul Koenig, William Goss, and Otto Petri as members of the State Board of Cleaners.

Chief Assistant Secretary Cleve V. Taylor at the Desk

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 18, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred the message from the Governor dated January 14, 1946, appointing:

O. H. CLOSE, as member, Youth Authority, vice self, term expired, for the term prescribed by law;

WILLIAM B. MCKESSON, as member, Youth Authority, vice self, for the term prescribed by law;

Has had the same under consideration, and respectfully reports the same back, and recommends that the appointments of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

CONSIDERATION OF APPOINTMENTS BY THE GOVERNOR

Motion to Confirm Appointments by the Governor

Senator Seawell moved that the Senate confirm and consent to the appointment of O. H. Close and William B. McKesson as members of the Youth Authority.

The President put the question, "Will the Senate confirm and consent to the appointment of O. H. Close and William B. McKesson?"

The roll was called, with the following result:

AYES—Senators Biggar, Brown, Burns, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Donnelly, Dorsey, Gordon, Hatfield, Judah, Keating, Kuchel, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Salsman, Seawell, Shelley, Slater, Sutton, Tenney, Ward, and Weybret—29.

NOES—None.

Appointments Confirmed

Whereupon the President announced that the Senate had confirmed and consented to the appointment of O. H. Close and William B. McKesson as members of the Youth Authority.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 16, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred the message from the Governor dated January 14, 1946, appointing:

HARRISON R. BAKER, as member, California Highway Commission, vice self, term expired, for the term prescribed by law;

Has had the same under consideration, and respectfully reports the same back, and recommends that the appointment of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

CONSIDERATION OF APPOINTMENT BY THE GOVERNOR

Motion to Confirm Appointment by the Governor

Senator Seawell moved that the Senate confirm and consent to the appointment of Harrison R. Baker as a member of the California Highway Commission.

The President put the question, "Will the Senate confirm and consent to the appointment of Harrison R. Baker?"

The roll was called, with the following result:

AYES—Senators Biggar, Brown, Burns, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Donnelly, Dorsey, Gordon, Hatfield, Judah, Keating, Kuchel, Mayo, McBride,

McCormack, Mixter, Parkman, Powers, Quinn, Salsman, Seawell, Shelley, Slater, Sutton, Tenney, Ward, and Weybret—30.
NOES—None.

Appointment Confirmed

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Harrison R. Baker as a member of the California Highway Commission.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 18, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred the message from the Governor dated January 14, 1946, appointing:

EUGENE T. BRODERICK, as member, State Board of Education, vice self, term expired, for the term prescribed by law;

MRS. E. T. HALE, as member, State Board of Education, vice self, term expired, for the term prescribed by law;

RALPH T. FISHER, as member, State Board of Education, vice self, term expired, for the term prescribed by law;

Has had the same under consideration, and respectfully reports the same back, and recommends that the appointments of the Governor be confirmed.
Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

CONSIDERATION OF APPOINTMENTS BY THE GOVERNOR

Motion to Confirm Appointments by the Governor

Senator Seawell moved that the Senate confirm and consent to the appointment of Eugene T. Broderick, Mrs. E. T. Hale, and Ralph T. Fisher as members of the State Board of Education.

The President put the question, "Will the Senate confirm and consent to the appointment of Eugene T. Broderick, Mrs. E. T. Hale, and Ralph T. Fisher?"

The roll was called, with the following result:

AYES—Senators Biggar, Brown, Burns, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Donnelly, Dorsey, Gordon, Hatfield, Judah, Keating, Kuchel, Mayo, McCormack, Mixter, Parkman, Powers, Quinn, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—29.
NOES—None.

Appointments Confirmed

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Eugene T. Broderick, Mrs. E. T. Hale, and Ralph T. Fisher as members of the State Board of Education.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 18, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred the message from the Governor dated January 14, 1946, appointing:

H. H. HALE, as member, State Soil Conservation Commission, for the term prescribed by law;

DAVID L. STRATHEARN, as member, State Soil Conservation Commission, for the term prescribed by law;

Has had the same under consideration, and respectfully reports the same back, and recommends that the appointments of the Governor be confirmed.
Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

CONSIDERATION OF APPOINTMENTS BY THE GOVERNOR

Motion to Confirm Appointments by the Governor

Senator Seawell moved that the Senate confirm and consent to the appointment of H. H. Hale and David L. Strathearn as members of the State Soil Conservation Commission.

The President put the question, "Will the Senate confirm and consent to the appointment of H. H. Hale and David L. Strathearn?"

The roll was called, with the following result:

AYES—Senators Biggar, Brown, Burns, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Donnelly, Dorsey, Gordon, Hatfield, Judah, Keating, Kuchel, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Seawell, Slater, Sutton, Swing, Tenney, Ward, and Weybret—29.

NOES—None.

Appointments Confirmed

Whereupon the President announced that the Senate had confirmed and consented to the appointment of H. H. Hale and David L. Strathearn as members of the State Soil Conservation Commission.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 18, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred the message from the Governor dated January 14, 1946, appointing:

LOUIS H. BURKE, as member, Veterans' Welfare Board, vice Robert F. Garner, Jr., deceased, for the term prescribed by law;

ERNEST R. ORFILA, as member, Veterans' Welfare Board, vice self, for term prescribed by law;

ORIEN W. TODD, as member, Veterans' Welfare Board, vice Paul T. Young, for the term prescribed by law;

Has had the same under consideration, and respectfully reports the same back, and recommends that the appointments of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

CONSIDERATION OF APPOINTMENTS BY THE GOVERNOR

Motion to Confirm Appointments by the Governor

Senator Seawell moved that the Senate confirm and consent to the appointment of Louis H. Burke, Ernest R. Orfila, and Orien W. Todd as members of the Veterans' Welfare Board.

The President put the question, "Will the Senate confirm and consent to the appointment of Louis H. Burke, Ernest R. Orfila, and Orien W. Todd?"

The roll was called, with the following result:

AYES—Senators Biggar, Brown, Burns, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Dorsey, Gordon, Hatfield, Judah, Keating, Kuchel, Mayo, McCormack, Mixter, Parkman, Powers, Quinn, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—32.

NOES—None.

Appointments Confirmed

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Louis H. Burke, Ernest R. Orfila, and Orien W. Todd as members of the Veterans' Welfare Board.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 18, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred the message from the Governor dated January 14, 1946, appointing:

ALLEN SACRY, as member, Board of Trustees, Mendocino State Hospital, vice self, for the term prescribed by law;

Has had the same under consideration, and respectfully reports the same back, and recommends that the appointment of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

CONSIDERATION OF APPOINTMENT BY THE GOVERNOR

Motion to Confirm Appointment by the Governor

Senator Seawell moved that the Senate confirm and consent to the appointment of Allen Sacry as a member of the Board of Trustees, Mendocino State Hospital.

The President put the question, "Will the Senate confirm and consent to the appointment of Allen Sacry?"

The roll was called, with the following result:

AYES—Senators Biggar, Brown, Burns, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Dorsey, Gordon, Hatfield, Judah, Keating, Kuchel, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, and Ward—32.

NOES—None.

Appointment Confirmed

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Allen Sacry as a member of the Board of Trustees, Mendocino State Hospital.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 18, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred the message from the Governor dated January 14, 1946, appointing:

LEWIS DRUCKER, as member, Adult Authority, Department of Corrections, vice self, for the term ending March 15, 1947;

Has had the same under consideration, and respectfully reports the same back, and recommends that the appointment of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

CONSIDERATION OF APPOINTMENT BY THE GOVERNOR

Motion to Confirm Appointment by the Governor

Senator Seawell moved that the Senate confirm and consent to the appointment of Lewis Drucker as a member of the Adult Authority, Department of Corrections.

The President put the question, "Will the Senate confirm and consent to the appointment of Lewis Drucker?"

The roll was called, with the following result:

AYES—Senators Biggar, Brown, Burns, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Dorsey, Gordon, Hatfield, Judah, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—31.

NOES—None.

Appointment Confirmed

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Lewis Drucker as a member of the Adult Authority, Department of Corrections.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 18, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred the message from the Governor dated January 14, 1946, appointing:

GARDNER BULLIS, as member, Board of Social Work Examiners, for the four year term prescribed by law, ending January 15, 1950;

MRS. M. C. BOUCHER, as member, Board of Social Work Examiners, for the four year term prescribed by law, ending January 15, 1950;

MRS. BENJAMIN F. WARMER, as member, Board of Social Work Examiners, for the four year term prescribed by law, ending January 15, 1950;

MISS ZDENKA BUBEN, as member, Board of Social Work Examiners, for the term prescribed by law, ending January 15, 1947;

MISS MAURINE MCKEANY, as member, Board of Social Work Examiners, for the term prescribed by law, ending January 15, 1948;

REVEREND RAYMOND J. O'FLAHERTY, as member, Board of Social Work Examiners, for the term prescribed by law, ending January 15, 1949;

HYMAN KAPLAN, as member, Board of Social Work Examiners, for the term prescribed by law, ending January 15, 1949;

Has had the same under consideration, and respectfully reports the same back, and recommends that the appointment of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

CONSIDERATION OF APPOINTMENTS BY THE GOVERNOR

Motion to Confirm Appointments by the Governor

Senator Seawell moved that the Senate confirm and consent to the appointment of Gardner Bullis, Mrs. M. C. Boucher, Mrs. Benjamin F. Warmer, Miss Zdenka Buben, Miss Maurine McKeany, Reverend Raymond J. O'Flaherty, and Hyman Kaplan, as members of the Board of Social Work Examiners.

The President put the question, "Will the Senate confirm and consent to the appointment of Gardner Bullis, Mrs. M. C. Boucher, Mrs. Benjamin F. Warmer, Miss Zdenka Buben, Miss Maurine McKeany, Reverend Raymond J. O'Flaherty, and Hyman Kaplan?"

The roll was called, with the following result:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Dorsey, Gordon, Hatfield, Judah, Keating, Kuchel, Mayo, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—35.

NOES—None.

Appointments Confirmed

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Gardner Bullis, Mrs. M. C. Boucher, Mrs. Benjamin F. Warmer, Miss Zdenka Buben, Miss Maurine McKeany, Reverend Raymond J. O'Flaherty, and Hyman Kaplan as members of the Board of Social Work Examiners.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 18, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred the message from the Governor dated January 14, 1946, appointing:

WILLIAM A. MEINHEIT, as member, State Fire Advisory Board, for the term at the pleasure of the Governor;

JOHN H. ALDERSON, as member, State Fire Advisory Board, for the term at the pleasure of the Governor;

C. NEAL NIDAY, as member, State Fire Advisory Board, for the term at the pleasure of the Governor;

HUGH MORRIS, as member, State Fire Advisory Board, for the term at the pleasure of the Governor;

TERRENCE MULLIGAN, as member, State Fire Advisory Board, for the term at the pleasure of the Governor;

SPENCE D. TURNER, as member, State Fire Advisory Board, for the term at the pleasure of the Governor;

WALTER M. JOHNSON, as member, State Fire Advisory Board, for the term at the pleasure of the Governor;

BART W. ARUNDEL, as member, State Fire Advisory Board, for the term at the pleasure of the Governor;

C. L. BOLZ, as member, State Fire Advisory Board, for the term at the pleasure of the Governor;

A. J. SULLIVAN, as member, State Fire Advisory Board, for the term at the pleasure of the Governor;

LESTER A. O'BRIEN, as member, State Fire Advisory Board, for the term at the pleasure of the Governor;

Has had the same under consideration, and respectfully reports the same back, and recommends that the appointment of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

CONSIDERATION OF APPOINTMENTS BY THE GOVERNOR

Motion to Confirm Appointments by the Governor

Senator Seawell moved that the Senate confirm and consent to the appointment of William A. Meinheit, John H. Alderson, C. Neal Niday, Hugh Morris, Terrence Mulligan, Spence D. Turner, Walter M. Johnson, Bart W. Arundel, C. L. Bolz, A. J. Sullivan, and Lester A. O'Brien as members of the State Fire Advisory Board.

The President put the question, "Will the Senate confirm and consent to the appointment of William A. Meinheit, John H. Alderson, C. Neal Niday, Hugh Morris, Terrence Mulligan, Spence D. Turner, Walter M. Johnson, Bart W. Arundel, C. L. Bolz, A. J. Sullivan, and Lester A. O'Brien?"

The roll was called, with the following result:

AYES—Senators Biggar, Breed, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Judah, Keating, Kuchel, Mayo, McCormack, Mixter, Parkman, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, and Weybret—32.

NOES—None.

Appointments Confirmed

Whereupon the President announced that the Senate had confirmed and consented to the appointment of William A. Meinheit, John H. Alderson, C. Neal Niday, Hugh Morris, Terrence Mulligan, Spence D. Turner, Walter M. Johnson, Bart W. Arundel, C. L. Bolz, A. J. Sullivan, and Lester A. O'Brien as members of the State Fire Advisory Board.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 18, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred the message of the Governor dated January 14, 1946, appointing:

FRANK C. MORTIMER, as Building and Loan Commissioner, vice self, for the term ending at the pleasure of the Governor;

Has had the same under consideration, and respectfully reports the same back, and recommends that the appointment of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

CONSIDERATION OF APPOINTMENT BY THE GOVERNOR

Motion to Confirm Appointment by the Governor

Senator Seawell moved that the Senate confirm and consent to the appointment of Frank C. Mortimer as Building and Loan Commissioner.

The President put the question, "Will the Senate confirm and consent to the appointment of Frank C. Mortimer?"

The roll was called, with the following result:

AYES—Senators Biggar, Breed, Burns, Carter, DeLap, Desmond, Deuel, Dillinger, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Judah, Keating, Kuchel, Mayo, McCormack, Mixter, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Swing, Tenney, Ward, and Weybret—30.

NOES—Senators Collier and McBride—2.

Appointment Confirmed

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Frank C. Mortimer as Building and Loan Commissioner.

REPORTS OF STANDING COMMITTEES

Committee on Labor

SENATE CHAMBER, SACRAMENTO, January 17, 1946

MR. PRESIDENT: Your Committee on Labor, to which was referred:

Senate Bill No. 52

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 7; committee vote: Ayes 6; absent 1.

SHELLEY, Chairman

Above reported bill ordered to second reading.

Committee on Education

SENATE CHAMBER, SACRAMENTO, January 18, 1946

MR. PRESIDENT: Your Committee on Education, to which were referred:

Senate Bill No. 45

Assembly Bill No. 35

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 9; committee vote: Ayes 6; absent 3.

SLATER, Chairman

Above reported bills re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, January 18, 1946

MR. PRESIDENT: Your Committee on Education, to which were referred:

Senate Bill No. 59

Assembly Bill No. 10

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 6; absent 3.

SLATER, Chairman

Above reported bills ordered to second reading.

Committee on Local Government

SENATE CHAMBER, SACRAMENTO, January 17, 1946

MR. PRESIDENT: Your Committee on Local Government, to which was referred:

Senate Bill No. 48

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 6; absent 3.

CUNNINGHAM, Chairman

Above reported bill ordered to second reading.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following bills were introduced, and read the first time:

Senate Bill No. 66: By Senator Hatfield—An act relating to the rights of veterans to return to public office or employment upon release from the armed services of the United States, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 67: By Senator Rich—An act to add Section 2206 to the Health and Safety Code, relating to mosquito abatement districts.

Referred to Committee on Public Health and Safety.

Senate Bill No. 68: By Senator Rich—An act to provide State assistance of local agencies for the control of mosquitoes, and making an appropriation therefor.

Referred to Committee on Public Health and Safety.

Senate Bill No. 69: By Senator Gordon—An act to amend Section 16 of an act entitled: "An act making an appropriation for allocation to cities, counties, and cities and counties to develop a postwar public works program comprising the preparation of surveys and plans and specifications for proposed public works and the acquisition of rights of way and sites for major streets, roads, bridges, sewerage and other public facilities, and providing the procedure for making such allocations.", approved June 20, 1944, relating to public works, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 70: By Senators Tenney, Parkman, Weybret, Jespersen, DeLap, Fletcher, Judah, Keating, and Salsman—An act making an appropriation to the Division of Beaches and Parks for the establishment and development of riders' and hikers' trails, declaring the urgency hereof, to take effect immediately.

Referred to Committee on Natural Resources.

Senate Constitutional Amendment No. 3: By Senator Biggar—Proposed amendment to Article IV of the Constitution, by adding Section 31e thereto, relative to guaranty of loans on private homes and home development projects.

Referred to Committee on Governmental Efficiency.

CONSIDERATION OF DAILY FILE

REQUEST FOR UNANIMOUS CONSENT

Senator Salsman asked for, and was granted, unanimous consent to take up Senate Resolution No. 17, at this time, for consideration.

CONSIDERATION OF SENATE RESOLUTION NO. 17

Senate Resolution No. 17

Resolved, That the Secretary of the Senate be and he is hereby instructed and directed to order for the Members of the Senate copies of the Larmac Index, the same to be paid for from the Contingent Fund of the Senate.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Burns, Carter, Collier, Crittenden, DeLap, Desmond, Deuel, Dillinger, Donnelly, Dorsey, Hatfield, Hulse, Judah, Keating, Kuchel, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—31.

NOES—None.

RESOLUTIONS

The following resolution was offered:

By Senator Dillinger:

Senate Resolution No. 18

Respecting discovery of gold at Coloma

WHEREAS, January 24, 1946, is the official Ninety-eighth Anniversary of the Discovery of Gold at Coloma, by James Wilson Marshall, and

WHEREAS, During the period of nearly 100 years that has elapsed since then this great State has reached a high place among the aggregation of our several States; and

WHEREAS, We have become more and more engrossed in our daily round of duties as the days go by, it becomes more and more fitting that we should pause in the turmoil of our daily lives to reflect upon the achievements, the ideals, and sacrifices of those pioneers who carved from the vastness of forest and plain this great State that we love, and to draw from their precepts and examples renewed inspiration, to sustain and guide us as we face the problems before us now. Not all the pioneering has been done. With the discovery of the atomic bomb and the end of this great World War, we face today the most gigantic and perplexing problems and responsibilities that have ever faced any people; and

WHEREAS, There yet remains to be discovered and developed within our State minerals and resources of value probably far greater than the gold that Marshall found. So, let us now, in the light of those high ideals, consecrate ourselves this day to the tasks that lie before us, that we may prove worthy of our heritage, and wisely administer our trust. It is not alone for the accidental discovery of gold that we mark this day. Rather, it is for the momentous events that flowed therefrom; therefore be it

Resolved, That when the Senate does this day adjourn, that we do so in commemoration of the discovery of gold at Coloma, and out of respect to the memory of James Wilson Marshall and those rugged pioneers, who have bequeathed to us this priceless heritage.

Resolution read, and adopted.

THE FOLLOWING PROPOSED BILLS WERE READ, AND REFERRED TO COMMITTEE ON RULES

By Senator Quinn—An act to amend Section 2 of an act entitled "An act to add Article 7, consisting of Sections 997, 997.1, 997.2, 997.3, 997.4, 997.5 and 997.6 to Chapter 6 of Division 4 of the Military and Veterans Code, relating to aid to veterans of World War II through cooperation with the United States or agencies thereof and of this State in making Federal lands available and suitable for settlement by such veterans,"

approved June 25, 1945, relating to cooperation with the United States in settling veterans on Federal lands.

By Senators Mayo, Brown, Salsman, McBride, Collier, Judah, Dorsey, Cunningham, Biggar, and Dillinger—An act to provide a program of local public works to prevent and alleviate postwar unemployment, making an appropriation therefor, and to repeal the Postwar Unemployment and Construction Act.

By Senator Salsman—An act making an appropriation for student housing at the State colleges.

By Senator Tenney—An act to add Part 9 to Division 3 of Title 2 of the Government Code, known as the California Employment Production Act, declaring a continuing governmental policy and program to promote high levels of employment, production, and purchasing power in a free competitive economy, creating a Council of Economic Advisers to the Governor and a Joint Committee of the Senate and Assembly, defining the powers and duties of the council, the committee, and the Governor in respect thereto, and making an appropriation therefor.

By Senator Burns—An act making an appropriation to the Reclamation Board for the payment of the cost of the project for the Fresno County stream group for flood control, to take effect immediately.

By Senator Seawell—An act making an additional appropriation for legislative printing, binding, etc., to take effect immediately.

By Senator Quinn—An act augmenting the appropriation to the Veterans' Commission for support, to take effect immediately.

By Senator Collier—An act to amend Section 185 of the Streets and Highways Code, to make an appropriation for the Revolving Fund of the Division of Highways, to take effect immediately.

By Senator Desmond—Relative to requesting The Regents of the University of California and the State Board of Education to study the need for expansion of higher education facilities at Sacramento Junior College, and to report thereon to the Legislature.

Secretary J. A. Beek at the Desk

MOTION TO CONSIDER SENATE CONCURRENT RESOLUTION

Senator Gordon moved that the following Senate Concurrent Resolution be taken up, at this time, without reference to committee, file, or print.

Motion carried.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was offered:

Senate Concurrent Resolution No. 11: By Senator Gordon—Relative to commending the University of California upon its two-year instructional course in practical agriculture given at Davis, and urging the continuance of such course and the enlargement of its scope.

Motion to Suspend Senate Rules

Senator Gordon moved that Senate Rules No. 24 and 12 be suspended temporarily, at this time, for the purpose of adopting Senate Concurrent Resolution No. 11.

The roll was called, and the motion carried by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, DeLap, Desmond, Deuel, Dillinger, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Judah, Keating, Kuchel, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—35.
NOES—None.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 11

Senate Concurrent Resolution No. 11—Relative to commending the University of California upon its two-year instructional course in practical agriculture given at Davis, and urging the continuance of such course and the enlargement of its scope.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Collier, Crittenden, DeLap, Desmond, Deuel, Dillinger, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Judah, Keating, Kuchel, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—34.
NOES—None.

Resolution ordered transmitted to the Assembly.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 4
Assembly Bill No. 27
Assembly Bill No. 43
Assembly Bill No. 49
Assembly Bill No. 50
Assembly Bill No. 53
Assembly Bill No. 56
Assembly Bill No. 69

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Joint Resolution No. 4
Assembly Joint Resolution No. 5
Assembly Concurrent Resolution No. 3

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were read the first time:

Assembly Bill No. 4—An act to add Section 1.5 to Chapter 873 of the Statutes of 1929, being an act, approved June 19, 1929 and entitled "An act to authorize, empower and direct the Governor of the State of California to employ counsel, agents and attorneys for the purpose of prosecuting, collecting and recovering claims of the State of California against the United States of America for disbursements made by the State of California in aid of the General Government during the Civil, Spanish, Indian and other wars and to prescribe the terms and conditions of employment, the rate of compensation therefor; and the manner of payment thereof, and to repeal an act entitled 'An act to authorize,

empower, and direct the Governor of the State of California to employ counsel, agents, and attorneys for the purpose of prosecuting, collecting and recovering the claims of the State of California against the United States of America, to prescribe the terms and conditions of the employment, the rate of compensation therefor, and the manner of payment thereof,' approved March 23, 1907, and also repealing an act entitled 'Concerning the war debt of this State, and providing for the redemption thereof,' approved April 19, 1856,'' relating to the authority of the Governor to contract for the recovery of claims of the State against the United States arising out of the Civil, Spanish, Indian and other wars, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Rules.

Assembly Bill No. 27—An act to add Section 2206 to the Health and Safety Code, relating to mosquito abatement districts, and declaring the urgency of this act, to take effect immediately.

Referred to Committee on Rules.

Assembly Bill No. 43—An act to amend Section 5 of an act entitled ''An act relating to the determination of the wartime population of cities or cities and counties for purposes of allocation of moneys from the State Highway Fund and from the Motor Vehicle License Fee Fund for expenditures therein, and declaring the urgency thereof,'' approved May 18, 1943, relating to the time said act remains in effect, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Rules.

Assembly Bill No. 49—An act making an appropriation to the Department of Finance for the acquisition of real property, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Rules.

Assembly Bill No. 50—An act making an appropriation to the California Youth Authority for the acquisition of real property, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Rules.

Assembly Bill No. 53—An act to amend Section 9552 of the Business and Professions Code, relating to owners and managers of clothes cleaning establishments, of cleaning and dyeing shops, and spotting, sponging and pressing establishments, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Rules.

Assembly Bill No. 56—An act to amend Section 13204.1 of the Education Code, relating to certificated employees of school districts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Rules.

Assembly Bill No. 69—An act to amend Sections 980 and 985 and to amend and renumber the article heading of the second Article 3 of Chapter 6 of Division 4 of, and to add Sections 831 and 842 to, the Military and Veterans Code, relating to the purchases of farms and homes by veterans of World War I and veterans of World War II, abolishing

the Veterans' Farm and Home Building Fund, and facilitating the work of the Veterans' Welfare Board.

Referred to Committee on Rules.

Assembly Joint Resolution No. 4—Relative to memorializing Congress to allocate housing appropriations upon the basis of need and of present population.

Referred to Committee on Rules.

Assembly Joint Resolution No. 5—Relative to the modification of the application of price controls to retailers in the sale of lumber.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 3—Relative to creating a Joint Committee on Preschool and Primary Training of Children.

Referred to Committee on Rules.

CONSIDERATION OF DAILY FILE

SECOND READING OF SENATE BILLS

Senate Bill No. 11—An act to extend the effective date of an act entitled "An act relating to the performance by the Department of Public Works of highway and other cooperative work for the Federal Government, making an appropriation for administrative expenses, declaring the urgency thereof, and providing that this act shall take effect immediately," approved February 10, 1943, as amended.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 3—An act to provide for the acquisition, establishment, and operation of additional temporary hospital facilities for mental patients in State institutions, making an appropriation therefor, and declaring the urgency of the act, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Institutions:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "_____dollars ($_____)", and insert "one million six hundred fifty thousand dollars ($1,650,000)".

Amendment read and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

Senate Bill No. 23—An act to repeal an act entitled "An act to add Article 5a, comprising Sections 933 to 994.3 inclusive, to Chapter 6 of Division 4 of the Military and Veterans Code, authorizing the creation of a debt or debts, liability or liabilities, through the issuance and sale of State bonds, for the single object of creating a fund to provide farm and home aid for veterans in accordance with the provisions of the Veterans Farm and Home Purchase Act of 1943; defining the powers and duties of said committee and of the Veterans' Welfare Board and other State officers in respect to the administration of the provisions hereof; providing ways and means, exclusive of loans, for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due,

and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures; appropriating money for the expense of preparing and of advertising the sale of bonds herein authorized to be issued; and providing for the submission of this act to a vote of the people at the general election to be held in the month of November, 1946," approved July 17, 1945, relating to the purchase of farms and homes for veterans.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 22—An act to amend Sections 980 and 985 and to amend and renumber the article heading of the second Article 3 of Chapter 6, of Division 4 of, and to add Sections 831 and 842 to, the Military and Veterans Code, relating to the purchases of farms and homes by veterans of World War I and veterans of World War II, abolishing the Veterans' Farm and Home Building Fund, and facilitating the work of the Veterans' Welfare Board.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military and Veterans Affairs:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 980 and", and insert "Section".

Amendment No. 2

On page 2 of said bill, strike out lines 20 to 46, inclusive.

Amendment No. 3

On page 2, line 47, of said bill, strike out "SEC. 5", and insert "SEC. 4".

Amendment No. 4

On page 3, line 17, of said bill, strike out "SEC. 6", and insert "SEC. 5".

Amendment No. 5

On page 3, line 21, of said bill, strike out "SEC. 7", and insert "SEC. 6".

Amendments read and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 19—An act to add Article 5A, comprising Sections 993 to 994.3 inclusive, to Chapter 6 of Division 4 of the Military and Veterans Code, authorizing the creation of a debt or debts, liability or liabilities, through the issuance and sale of State bonds, for the single object of creating a fund to provide farm and home aid for veterans in accordance with the provisions of the Veterans Farm and Home Purchase Act of 1943; defining the powers and duties of said committee and of the Veterans' Welfare Board and other State officers in respect to the administration of the provisions hereof; providing ways and means, exclusive of loans, for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures; appropriating money for the expense of preparing and of advertising the sale of bonds herein authorized to be issued; and providing for the submission of this act to a vote of the people at the general election to be held in the month of November, 1946

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military and Veterans Affairs:

Amendment No. 1

On page 2, line 17, of the printed bill, strike out "_____ dollars ($_____)", and insert "seventy-five million dollars ($75,000,000)".

Amendment No. 2

On page 6, line 50, of said bill, strike out the blank, and insert "seventy-five million".

Amendment No. 3

On page 7, line 5, of said bill, strike out the blank, and insert "seventy-five million".

Amendments read and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 55—An act to amend Sections 813, 815, 820 and 986.3 of the Military and Veterans Code, relating to the purchase of homes by veterans.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military and Veterans Affairs:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "820".

Amendment No. 2

On page 2 of said bill, strike out lines 7 to 35, inclusive.

Amendment No. 3

On page 2, line 36, of said bill, strike out "SEC. 4", and insert "SEC. 3".

Amendments read ~~and adopted.~~

Motion to Rescind Action

Senator Quinn moved that the Senate rescind its action whereby it adopted committee amendments to Senate Bill No. 55, and that he be allowed to substitute a new set of amendments in lieu of the committee amendments.

Motion carried.

Motion to Amend

Senator Quinn moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "820".

Amendment No. 2

In line 2 of the title of said bill, after "of", insert "farms and".

Amendment No. 3

On page 2 of said bill, strike out lines 7 to 35, inclusive.

Amendment No. 4

On page 2, line 36, of said bill, strike out "SEC. 4", and insert "SEC. 3".

Amendment No. 5

On page 2, line 45, of said bill, strike out "($7,500)".

Amendments read and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 50—An act to amend Sections 751, 820 and 987 of the Military and Veterans Code, relating to the rate of interest on veteran farm and home loans, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military and Veterans Affairs:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "751, 820," and insert "820".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 25, inclusive, and on page 2, strike out lines 1 to 27, inclusive.

Amendment No. 3

On page 2 of said bill, strike out line 28, and insert
"SECTION 1. Section 820 of the Military and Veterans Code is amended to read:".

Amendment No. 4

On page 2, line 31, of said bill, after "home.", insert "The board may waive the initial payment in any case where the purchaser is refinancing through the board property owned by him and in which he owns an equity, prior to purchase by the board, of at least 10 per cent of the purchase price to the board. In such case the value of the property as determined by appraisal shall equal the amount paid by the board plus 10 per cent."

Amendment No. 5

On page 2, line 52, of said bill, strike out the blank, and insert "September".

Amendment No. 6

On page 3, line 15, of said bill, after "payment.", insert "In the event that the board and the Veterans' Finance Committee fail to establish the rate of interest for any year, the rate of interest established for the preceding year or years shall be continued until changed as provided in this section."

Amendment No. 7

On page 3, line 21, of said bill, strike out "SEC. 3.", and insert "SEC. 2."

Amendment No. 8

On page 3, line 52, of said bill, strike out the blank, and insert "September".

Amendment No. 9

On page 4, line 16, of said bill, after "payment.", insert "In the event that the board and the Veterans' Finance Committee fail to establish the rate of interest for any year, the rate of interest established for the preceding year or years shall be continued until changed as provided in this section."

Amendments read.

Motion to Substitute Amendments

Senator Quinn moved that he be allowed to substitute a new set of amendments in lieu of the committee amendments to Senate Bill No. 50.

~~Motion carried.~~

Motion to Rescind Action

Senator Quinn moved that the Senate rescind its action whereby a set of amendments was substituted for the committee amendments to Senate Bill No. 50.

Motion carried.

Consideration of Committee Amendments

Amendment No. 1

In line 1 of the title of the printed bill, strike out "751, 820," and insert "820".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 25, inclusive, and on page 2, strike out lines 1 to 27, inclusive.

Amendment No. 3

On page 2 of said bill, strike out line 28, and insert
"SECTION 1. Section 820 of the Military and Veterans Code is amended to read:".

Amendment No. 4

On page 2, line 31, of said bill, after "home.", insert "The board may waive the initial payment in any case where the purchaser is refinancing through the board property owned by him and in which he owns an equity, prior to purchase by the board, of at least 10 per cent of the purchase price to the board. In such case the value of the property as determined by appraisal shall equal the amount paid by the board plus 10 per cent."

Amendment No. 5

On page 2, line 52, of said bill, strike out the blank, and insert "September".

Amendment No. 6

On page 3, line 15, of said bill, after "payment.", insert "In the event that the board and the Veterans' Finance Committee fail to establish the rate of interest for any year, the rate of interest established for the preceding year or years shall be continued until changed as provided in this section."

Amendment No. 7

On page 3, line 21, of said bill, strike out "SEC. 3.", and insert "SEC. 2."

Amendment No. 8

On page 3, line 52, of said bill, strike out the blank, and insert "September".

Amendment No. 9

On page 4, line 16, of said bill, after "payment.", insert "In the event that the board and the Veterans' Finance Committee fail to establish the rate of interest for any year, the rate of interest established for the preceding year or years shall be continued until changed as provided in this section."

Amendments adopted.

Senate Bill No. 50 ordered printed, engrossed, and to third reading.

Chief Assistant Secretary Cleve V. Taylor at the Desk

THIRD READING OF SENATE BILLS

Senate Bill No. 39—An act to amend Section 5 of an act entitled "An act relating to the determination of the wartime population of cities or cities and counties for purposes of allocation of moneys from the State Highway Fund and from the Motor Vehicle License Fee Fund for expenditures therein, and declaring the urgency thereof," approved May 18, 1943, relating to the time said act remains in effect, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Senator DeLap moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "December 31," and insert "July 1".

Amendment No. 2

On page 1 of said bill, strike out lines 8 and 9, and insert
"The expiration of the fiscal year ending prior to July 1, 1947, shall not prevent the completion of any proceedings, allocations or payments in respect of that fiscal year."

Amendments read and adopted.

Bill ordered printed, re-engrossed, and to third reading.

Senate Bill No. 34—An act to repeal Section 2 of Chapter 1235, Statutes of 1945, relating to the period during which provisions of the

Agricultural Code governing disposal of garbage from vessels and aircrafts shall be effective.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, DeLap, Desmond, Deuel, Dillinger, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Judah, Keating, Kuchel, Mayo, McBride, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—35.
NOES—None.

Bill ordered transmitted to the Assembly.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 2—An act making an appropriation from the State Lands Act Fund for the additional support of the Department of Justice, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Breed.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Crittenden, DeLap, Desmond, Deuel, Dillinger, Donnelly, Dorsey, Gordon, Hulse, Judah, Kuchel, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing Tenney, Ward, and Weybret—31.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators, Biggar, Breed Brown, Burns, Crittenden, DeLap, Desmond, Deuel, Dillinger, Donnelly, Dorsey, Gordon, Hulse, Judah, Kuchel, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—31.
NOES—None.

Bill ordered transmitted to the Assembly.

WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 40

Senator Shelley moved that Senate Bill No. 40 be withdrawn from Committee on Social Welfare for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 40—An act to add Section 18 and Article 10, comprising Sections 150 to 404 to, and to amend Sections 19, 20, and 40 of, the Unemployment Insurance Act, to establish a System of Unemployment Compensation Disability Benefit Payments within the Unemployment Compensation System.

Bill read second time.

Motion to Amend

Senator Shelley moved the adoption of the following amendments:

Amendment No. 1

On page 3 of the printed bill, strike out lines 8 to 10, inclusive, and insert

"Sec. 204. An individual if eligible, shall be entitled to both disability benefits and unemployment benefits in the same benefit year; provided that no disability benefits shall be payable during any week of an individual's benefit year after such individual's unemployment benefit rights have been exhausted."

Amendment No. 2

On page 3 of said bill, after line 50, insert

"Sec. 209. In the case of any individual who in good faith adheres to the preachings of any bona fide church, sect, denomination or organization and in accordance with its principles depends for healing entirely upon prayer or spiritual means, no medical examination shall be required nor shall any authorized regulations prescribing the manner of proof of illness or injury discriminate against such individual."

Amendments read and adopted.

Bill ordered printed, and re-referred to Committee on Social Welfare.

ADJOURNMENT

At 12.57 p.m., on motion of Senator Seawell, the President declared the Senate adjourned until 2 p.m., Monday, January 21, 1946, out of respect to the memory of James Wilson Marshall.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-SIXTH (FIRST EXTRAORDINARY) SESSION

SENATE DAILY JOURNAL

ELEVENTH LEGISLATIVE DAY
FIFTEENTH CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO
Monday, January 21, 1946

The Senate met at 2 p.m.
Hon. Frederick F. Houser, President of the Senate, presiding.
Chief Assistant Secretary Cleve V. Taylor at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—37.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Dr. Clarence A. Kircher.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Deuel, on motion of Senator Seawell, due to illness.
Senator Quinn, on motion of Senator Seawell, due to death in family.
Senator DeLap, on motion of Senator Seawell, due to legislative business elsewhere.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Fletcher, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. L. N. Harvey, of San Diego.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. R. V. Chandler, formerly of Oakland.

On request of Senators Collier and Fletcher, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Borcheeding, Mr. and Mrs. McSweeney, and Mr. Mark Basch, of Klamath, California.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 21, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 19
Senate Bill No. 22
Senate Bill No. 50
Senate Bill No. 55
Senate Concurrent Resolution No. 11

And reports the same correctly engrossed.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 21, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 39

And reports the same correctly re-engrossed.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 18, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 11
Senate Bill No. 23

And reports the same correctly engrossed.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 18, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Proposed Senate Bill No. 75

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Water Resources.

Committee membership 5; committee vote: Ayes 4; absent 1.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 18, 1946

MR. PRESIDENT: Your Committee on Rules, to which were referred:

Proposed Senate Bill No. 78
Assembly Bill No. 43

Has had the same under consideration, and finds that same are within the purview of the call, and directs that they be referred to the Committee on Transportation.

Committee membership 5; committee vote: Ayes 4; absent 1.

SEAWELL, Chairman

Above reported Assembly bill re-referred to Committee on Transportation.

SENATE CHAMBER, SACRAMENTO, January 18, 1946

MR. PRESIDENT: Your Committee on Rules, to which were referred:

Proposed Senate Bill No. 76
Proposed Senate Bill No. 77

Has had the same under consideration, and finds that same are within the purview of the call, and directs that they be referred to the Committee on Finance.

Committee membership 5; committee vote: Ayes 4; absent 1.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 18, 1946

MR. PRESIDENT: Your Committee on Rules, to which were referred:

Proposed Senate Bill No. 71
Assembly Bill No. 69

Has had the same under consideration, and finds that same are within the purview of the call, and directs that they be referred to the Committee on Military and Veterans Affairs.

Committee membership 5; committee vote: Ayes 4; absent 1.

SEAWELL, Chairman

Above reported Assembly bill re-referred to Committee on Military and Veterans Affairs.

SENATE CHAMBER, SACRAMENTO, January 18, 1946

MR. PRESIDENT: Your Committee on Rules, to which were referred:

Proposed Senate Bill No. 72
Proposed Senate Bill No. 74
Assembly Joint Resolution No. 4
Assembly Bill No. 9
Assembly Bill No. 60
Assembly Bill No. 49
Assembly Bill No. 50

Has had the same under consideration, and finds that same are within the purview of the call, and directs that they be referred to the Committee on Governmental Efficiency.

Committee membership 5; committee vote: Ayes 4; absent 1.

SEAWELL, Chairman

Above reported Assembly bills, re-referred to Committee on Governmental Efficiency.

SENATE CHAMBER, SACRAMENTO, January 18, 1946

MR. PRESIDENT: Your Committee on Rules, to which were referred:

Proposed Senate Bill No. 73
Assembly Concurrent Resolution No. 3
Proposed Senate Concurrent Resolution No. 12
Assembly Bill No. 56

Has had the same under consideration, and finds that same are within the purview of the call, and directs that they be referred to the Committee on Education.

Committee membership 5; committee vote: Ayes 4; absent 1.

SEAWELL, Chairman

Above reported Assembly bills re-referred to Committee on Education.

SENATE CHAMBER, SACRAMENTO, January 18, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Assembly Bill No. 27

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Public Health and Safety.

Committee membership 5; committee vote: Ayes 4; absent 1.

SEAWELL, Chairman

Above reported bill re-referred to Committee on Public Health and Safety.

SENATE CHAMBER, SACRAMENTO, January 18, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Assembly Bill No. 4

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Judiciary.

Committee membership 5; committee vote: Ayes 4; absent 1.

SEAWELL, Chairman

Above reported bill re-referred to Commitee on Judiciary.

SENATE CHAMBER, SACRAMENTO, January 18, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Assembly Bill No. 53

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Business and Professions.

Committee membership 5; committee vote: Ayes 4; absent 1.

SEAWELL, Chairman

Above reported bill re-referred to Committee on Business and Professions.

SENATE CHAMBER, SACRAMENTO, January 18, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Assembly Joint Resolution No. 5

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 4; absent 1.

SEAWELL, Chairman

Above reported resolution ordered to third reading.

SENATE CHAMBER, SACRAMENTO, January 18, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred the message from the Governor, dated January 14, 1946, appointing:

ANTHONY RACINE, as member, Industrial Accident Commission, for the four year term prescribed by law, ending January 15, 1950;

ERNEST B. WEBB, as member, Industrial Accident Commission, for the term prescribed by law, ending January 15, 1947;

DAN MURPHY, JR., as member, Industrial Accident Commission, vice Paul Scharrenberg, for the term prescribed by law, ending January 15, 1947;

RALPH E. MUSTOE, as member, Industrial Accident Commission, for the term prescribed by law, ending January 15, 1948;

EVERETT A. CORTEN, as member and Chairman, Industrial Accident Commission, for the term prescribed by law, ending January 15, 1949;

ALEXANDER WATCHMAN, as member, Industrial Accident Commission, vice self, term expired, for the four year term prescribed by law, ending January 15, 1950;

SHERMAN W. MCDONALD, as member, Industrial Accident Commission, vice J. C. Garrison, term expired, for the term prescribed by law;

Has had the same under consideration, and respectfully reports the same back, and recommends that the appointments of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 4; absent 1.

SEAWELL, Chairman

CONSIDERATION OF APPOINTMENTS BY THE GOVERNOR

Motion to Confirm Appointments by the Governor

Senator Seawell moved that the Senate confirm and consent to the appointment of Anthony Racine, Ernest B. Webb, Dan Murphy, Jr., Ralph E. Mustoe, Everett A. Corten, Alexander Watchman, and Sherman W. McDonald as members of the Industrial Accident Commission.

The President put the question, "Will the Senate confirm and consent to the appointment of Anthony Racine, Ernest B. Webb, Dan Murphy, Jr., Ralph E. Mustoe, Everett A. Corten, Alexander Watchman, and Sherman W. McDonald?"

The roll was called, with the following result:

AYES—Senators Biggar, Breed, Burns, Crittenden, Desmond, Dilworth, Dorsey, Fletcher, Gordon, Hatfield, Jespersen, Judah, Kuchel, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Seawell, Shelley, Slater, Swing, Tenney, Ward, and Weybret—26.

NOES—None.

Appointments Confirmed

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Anthony Racine, Ernest B. Webb, Dan Murphy, Jr., Ralph E. Mustoe, Everett A. Corten, Alexander Watchman, and Sherman W. McDonald, as members of the Industrial Accident Commission.

MOTION TO APPROVE SENATE JOURNALS

Senator Seawell moved that the Senate Journals of Monday, January 14, 1946; Tuesday, January 15, 1946; Wednesday, January 16, 1946; Thursday, January 17, 1946; and Friday, January 18, 1946, be approved as corrected by Minute Clerk and the Journal Clerk.

Motion carried.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 61

Senator Breed moved that Assembly Bill No. 61 be withdrawn from Committee on Education, and referred to Committee on Finance.

Motion carried.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following bills were introduced, and read the first time:

Senate Bill No. 71: By Senator Quinn—An act to amend Section 2 of an act entitled "An act to add Article 7, consisting of Sections 997, 997.1, 997.2, 997.3, 997.4, 997.5 and 997.6 to Chapter 6 of Division 4 of the Military and Veterans Code, relating to aid to veterans of World War II through cooperation with the United States or agencies thereof and of this State in making Federal lands available and suitable for settlement by such veterans," approved June 25, 1945, relating to cooperation with the United States in settling veterans on Federal lands.

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 72: By Senators Mayo, Brown, Salsman, McBride, Collier, Judah, Dorsey, Cunningham, Biggar, and Dillinger—An act to provide a program of local public works to prevent and alleviate postwar unemployment, making an appropriation therefor, and to repeal the Postwar Unemployment and Construction Act.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 73: By Senator Salsman—An act making an appropriation for student housing at the State colleges.

Referred to Committee on Education.

Senate Bill No. 74: By Senator Tenney—An act to add Part 9 to Division 3 of Title 2 of the Government Code, known as the California Employment Production Act, declaring a continuing Governmental Policy and Program to promote high levels of employment, production, and purchasing power in a free competitive economy, creating a Council of Economic Advisers to the Governor and a Joint Committee of the Senate and Assembly, defining the powers and duties of the council, the committee, and the Governor in respect thereto, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 75: By Senator Burns—An act making an appropriation to the Reclamation Board for the payment of the cost of the project for the Fresno County stream group for flood control, to take effect immediately.

Referred to Committee on Water Resources.

Senate Bill No. 76: By Senator Seawell—An act making an additional appropriation for legislative printing, binding, etc., to take effect immediately.

Referred to Committee on Finance.

Senate Bill No. 77: By Senator Quinn—An act augmenting the appropriation to the Veterans' Commission for support, to take effect immediately.

Referred to Committee on Finance.

Senate Bill No. 78: By Senator Collier—An act to amend Section 185 of the Streets and Highways Code, to make an appropriation for the Revolving Fund of the Division of Highways, to take effect immediately.

Referred to Committee on Transportation.

Senate Concurrent Resolution No. 12: By Senator Desmond—Relative to requesting The Regents of the University of California and the State Board of Education to study the need for expansion of higher education facilities at Sacramento Junior College, and to report thereon to the Legislature.

Referred to Committee on Education.

THE FOLLOWING PROPOSED BILLS WERE READ, AND REFERRED TO COMMITTEE ON RULES

By Senator Carter—An act to add Section 1247.5 to the Code of Civil Procedure, relating to eminent domain.

By Senator Burns—An act to amend Section 3 of an act entitled "An act authorizing any county in the State of California to aid any city operating under a freeholders' charter, or otherwise, in the State of California, in the acquisition of real or personal property for the purpose of constructing and completing improvements thereon necessary and convenient to the maintenance of airports, the flying and landing of aircraft and the maintenance of same, to take effect immediately," approved May 13, 1941, relating to publicly owned airports, declaring the urgency hereof, to take effect immediately.

By Senators Burns, Tenney, and Dilworth—An act to add Article 5 to Chapter 6 of Division 4 of the Military and Veterans Code relating to the acquisition and sale of building materials by the Veterans' Welfare Board, and declaring the urgency thereof; to take effect immediately.

By Senators Biggar and Brown—An act to amend Section 5a of the California Air Navigation Act, and to add Section 5.1 thereto, relating to the commercial operation of aircraft between fixed termini within this State.

By Senators Powers, McCormack, and Brown—An act to add Chapter 13.6 to Division 3 of the Education Code, relating to the support of school districts in distress as a result of war created conditions, and making an appropriation therefor.

By Senators Parkman, Salsman, Biggar, Mixter, Ward, McBride, Judah, Weybret, Gordon, DeLap, Shelley, Dorsey, Tenney, Quinn, Collier, Crittenden, Keating, Kuchel, and Fletcher—Relative to memorializing the State Park Commission in regard to the acquisition of State parks.

By Senator Swing—Relative to the acquisition of certain lands near the Colorado River for a State park.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 9
Senate Joint Resolution No. 2

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

Above resolutions ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day adopted, as amended:

Senate Concurrent Resolution No. 8

And respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

Above resolution ordered to unfinished business file.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 11
Assembly Joint Resolution No. 7

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following resolutions were read:

Assembly Concurrent Resolution No. 11—Relative to the acquisition of State parks pursuant to Chapter 1422 of the Statutes of 1945.

Referred to Committee on Rules.

Assembly Joint Resolution No. 7—Relative to memorializing Congress to provide a wage readjustment for Postal Service employees.

Referred to Committee on Rules.

CONSIDERATION OF DAILY FILE

SECOND READING OF SENATE BILLS

Senate Bill No. 37—An act to provide a Unified Program of Construction, Improvement, and Equipment for State Agencies, creating a State Public Works Board, and making an appropriation to carry out the provisions of this act.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

Amendment No. 1

On page 3 of the printed bill, strike out lines 6 to 19, inclusive, and insert

"University of California $30,000,000

Location	*Item*	*Current estimated cost*
San Francisco Medical	Teaching Hospital completion	$2,670,000
Los Angeles	Library stack completion	215,000
Berkeley	Library stack completion	335,000
La Jolla-Oceanography	Pier repairs and rehabilitation	67,000

Location	Item	Current estimated cost
Santa Barbara	Library and administration	$400,000
Mt. Hamilton	Fire protection and building rehabilitation	100,000
Los Angeles	Engineering Unit No. 1	1,670,000
San Francisco	Medical sciences	2,275,000
Berkeley	Chemistry expansion	800,000
Santa Barbara	Classrooms	400,000
Los Angeles	Utility expansion	134,000
Berkeley	Library Annex	1,335,000
La Jolla	Library, Museum and Aquarium	167,000
Los Angeles	Social sciences, geology and chemistry	2,390,000
Mt. Hamilton	Reflecting telescope	1,200,000
Santa Barbara	Gymnasium	466,000
Los Angeles	Life sciences Unit No. 2	1,335,000
Berkeley	Engineering	1,335,000
Santa Barbara	Sciences	734,000
La Jolla	Sea wall	34,000
San Francisco	Dental Clinic expansion	135,000
Los Angeles	Library Wing and alterations	790,000
Berkeley	School of public health	750,000
La Jolla	Utilities expansion and roads	34,000
Los Angeles	Business administration and economics	1,000,000
Berkeley	Classrooms	1,500,000
Los Angeles	Men's Gymnasium alterations and addition	400,000
Los Angeles	Women's Gymnasium alterations and addition	400,000
Berkeley	Utility expansion	135,000
Berkeley	Jurisprudence	900,000
Los Angeles	Student Health Center	800,000
Berkeley	Forestry	800,000
Los Angeles	Home economics	670,000
Berkeley	Physics addition	800,000
Los Angeles	Administration wing	335,000
Berkeley	Home economics	670,000
Los Angeles	Education and art	670,000
Berkeley	Insectory, Unit No. 1	67,000
Berkeley	Forest Products Laboratory	670,000
Department of Education		$13,500,000
California School for the Deaf	Kindergarten Dormitory	$266,000
California School for the Deaf	Intermediate Girls' Dormitory	226,000
California School for the Deaf	Advanced Girls' Dormitory	200,000
California School for the Deaf	Advanced Boys' Dormitory	216,000
California School for the Deaf	Razing old buildings	60,000
California School for the Deaf	Ground improvements	105,000
California School for the Deaf	Boiler plant and sewage	67,000
California School for the Deaf	Complete intermediate and advanced school	133,000
Chico State College	Boiler and maintenance shop	92,000
Chico State College	Training school	305,000
Humboldt State College	Industrial arts	130,000
San Diego State College	Sewer line replacement	20,000
San Diego State College	Library addition	95,000
San Francisco State College	Ground utilities	200,000
San Francisco State College	Gymnasium and Natatorium	653,300
San Francisco State College	Power house and shops	135,000
San Francisco State College	Administration Building	127,000
San Francisco State College	Classroom Building	368,000
San Francisco State College	Science Building	486,000
San Francisco State College	Library Building	387,000
San Francisco State College	Music and speech	493,000
San Francisco State College	Fine arts	286,000
San Francisco State College	Industrial arts	134,000
San Francisco State College	Cafeteria	167,000
California School for the Blind	Kindergarten addition	38,000
California School for the Blind	Library addition	36,600
California School for the Blind	Additional Boys' Dormitory and services	52,000
Fresno State College	Industrial Arts Shop	333,600
Fresno State College	Men's Gymnasium	384,000
San Diego State College	Arts and crafts	215,000
San Jose State College	Music Building	433,300
San Jose State College	Laboratory and Shop Building	433,300
California School for the Deaf	Vocational Unit and Rehabilitation of Training Building	141,000

Location — *Item*	*Current estimated cost*
San Diego State College—Commerce and Administration Building	$147,730
San Diego State College—Cooperative warehouse and yard	40,000
Fresno State College—Science Building addition	242,000
Fresno State College—Farm and Agricultural Shop	66,000
San Jose State College—Women's Gymnasium	270,000
Fresno State College—Music and Auditorium	596,700
San Diego State College—Training School	305,000
San Diego State College—Industrial arts	200,000
Humboldt State College—Library, Science and Classroom Building	269,000
Chico State College—Science	233,300
Chico State College—Music and Speech Annex	156,600
California School for the Deaf—Laundry and cleaning plant	106,000
San Jose State College—Cafeteria	166,600
San Jose State College—Remodel Auditorium	178,600
Humboldt State College—Heating plant additions	34,300
San Jose State College—Administration Building	200,000
San Jose State College—Boiler plant addition	55,000
Chico State College—Industrial and Vocational Building	200,000
San Jose State College—Library completion	295,000
California Maritime Academy—Classrooms, shops and dormitory and kitchen	1,133,000
Fresno State College—Administration Building	149,000
Humboldt State College—Corporation yard and shops	70,600
Fresno State College—Addition, Speech Building	30,000
San Diego State College—Music and speech arts	225,000
San Diego State College—Science addition	246,000
Fresno State College—Demonstration school	246,000
San Diego State College—Ground improvements	130,000
Department of Mental Hygiene	$57,500,000

Institution — *Item*	*Current cost*
Napa—Two groups of ward buildings. Units 2 and 3	$1,104,000
Napa—Two continued treatment buildings in above	192,000
Napa—Kitchen, dining room and complete food unit	553,300
Napa—Ground improvements for above new group	61,700
Napa—Service facilities for above new group	58,300
Napa—Equipment for above new group	133,300
Agnews—Farm Colony ward building	213,300
Patton—Auditorium and chapel	133,300
Mendocino—Kitchen, commissary and feeding unit	504,000
Norwalk—Sewage disposal plant and pipe. Possibility of entering L. A. Co. sewer system to be investigated	111,000
Sonoma—Ward building No. 3, female—Rep. Maple Cottage	200,000
Sonoma—Ward building No. 2, male—Rep. dairy and poultry cottages	174,700
Sonoma—Utilities for buildings east of highway	160,000
Sonoma—Steam boiler	40,000
Sonoma—Tubercular hospital. Rep. tuberculosis units	506,700
Stockton—Storm water sewer system	90,700
Stockton—Auditorium and chapel	133,300
Stockton—Ward building, female (on site of old main female building)	433,300
Napa—Receiving, acute treatment, medical and surgical and administration unit for entire institution	2,826,600
Camarillo—Receiving, acute treatment, medical and surgical unit and administration unit for entire institution (to include Biological Testing Laboratory)	2,826,600
Camarillo—Steam boiler	40,000
Camarillo—Sewer plant additions	105,300
Patton—Receiving, acute treatment, medical and surgical unit for entire institution. Administration Building	1,600,000
Patton—New boiler and repairs to power house	92,000
Napa—Laundry addition	113,300
Camarillo—Domestic water system extensions	26,700
Camarillo—Bakery and extension of commissary	140,000
Camarillo—Garage for institution cars. Maintenance trucks and equipment	35,000
Camarillo—Cold storage unit additions	55,000
Pacific Colony—Tubercular unit	240,000
Pacific Colony—Alterations to Ward 15, dividing into two wards	82,700

Institution	*Item*	*Current cost*
Pacific Colony	Laundry addition	$94,700
Pacific Colony	400-horsepower boiler	40,000
Sonoma	Additional utilities for buildings east of highway	133,300
Sonoma	Ward Building No. 4, female	174,700
Sonoma	Ward Building No. 8, male—representing Manzanita Cottage	174,700
Sonoma	Ward Building No. 1, female—representing Poppe Cottage	174,700
Sonoma	Ward Building No. 2, female	174,700
Sonoma	Ward Building No. 5, female (infirm)	200,000
Sonoma	Slaughter house	16,000
Napa	Sewage disposal plant	186,700
Napa	Sewer system lines	20,000
Camarillo	Water softeners	29,300
Stockton	Commissary and warehouse	73,300
Stockton	Garage and automotive repair shop	24,000
Norwalk	Fire house and fire employees' quarters	24,000
Camarillo	Backwash water softener disposal system	53,300
Stockton	Receiving, medical and surgical unit and Administration Building for entire institution (replaces Receiving, Psychopathic and Hospital Buildings)	1,466,600
Mendocino	Building to replace Main Building and to replace Wards 10, D and E. Replaces 741 beds. Construct 661 beds	1,173,300
Mendocino	Remodel Ward 8. Present capacity 137 beds. Remodeled capacity 100 beds	53,300
Mendocino	Administration, Receiving, Medical and Surgical Building and Hospital Ward addition	920,000
Mendocino	New Auditorium and Library	92,800
Mendocino	Landscaping, road rebuilding and repairs. Paving, etc., curbs and court yards	93,300
Mendocino	Addition and extensions to street lighting system	26,700
Mendocino	Ice making equipment and addition to boiler plant	21,300
Sonoma	Replacement of laundry	300,000
Camarillo	Garages for Attendants' Quarters No. 4	46,700
Camarillo	Attendants' Quarters No. 6	153,300
Camarillo	Garages for Attendants' Quarters No. 6	21,300
Camarillo	Assembly Hall for patients	200,000
Pacific Colony	Warehouse	14,700
Agnews	Annex road extension	13,300
Agnews	Laundry replacement	246,700
Camarillo	Realign road from hospital group to employees' quarters	44,300
Patton	Tubercular units for male and female. Represents Cottages 12, 19, E and McGonigal	1,200,000
Mendocino	Warehouse for storage of canned goods and supplies	26,700
Mendocino	Remodeling and extending the primary group of the electrical system and equipment for entire institution	70,700
Napa	Concrete underpass	42,400
Napa	Tubercular unit	600,000
Sonoma	Dairyman's Cottage and equipment	8,000
Agnews	Poultry ranch buildings and equipment	32,300
Napa	Juvenile unit	500,000
Camarillo	Juvenile unit	500,000
Camarillo	Domestic well, including power lines and pump	15,300
Camarillo	Two water softeners	20,900
Camarillo	Two physicians' residences and equipment	28,000
Stockton	Three physicians' residences and equipment	40,000
Pacific Colony	Physician's residence and equipment	13,300
Napa	Two physicians' residences and equipment	28,500
Mendocino	Two physicians' residences and equipment	26,700
Norwalk	Two physicians' residences and equipment	26,700
Norwalk	Domestic water well	19,900
Patton	Three physicians' residences and equipment	40,000
Pacific Colony	Residence for chief engineer and equipment	8,700
Camarillo	Crematory and Chapel	53,300
Napa	Commissary and general supply warehouse	166,700
Sonoma	School and Library Building	112,000
Agnews	Ward Building annex Unit No. 4. Kitchen. Replaces bungalows	666,700
Agnews	Annex road extension	13,300
Napa	Parole ward, male	433,300
Napa	Parole ward, female	433,300

Institution *Item*	*Current cost*
Napa—Two physicians' residences and equipment	$28,500
Napa—Dairy, expansion and improvements	100,000
Napa—Poultry ranch, expansion and improvements	46,700
Agnews—Ward building annex Unit No. 6. No kitchen, male	613,300
Agnews—Annex road extension	13,300
Agnews—Physicians' residences A3 and A4, and equipment	26,700
NEW INSTITUTION FOR EPILEPTICS	4,999,900
Agnews—Shoe and mattress shop	21,200
Agnews—Fire house and fire employees' quarters	32,700
Pacific Colony—Industrial building	101,600
Pacific Colony—Auditorium	128,700
Pacific Colony—Fire station and fire employees' quarters	38,000
Sonoma—Replace Bane Annex, male	176,700
Sonoma—Replace North Cottage, male	175,300
Sonoma—Replace Haven Cottage, female	176,000
Sonoma—Replace Cohen Cottage, male	174,700
Sonoma—Replace Slater Cottage, female	176,000
Sonoma—Utilities for above new cottages	176,000
Sonoma—Addition to general hospital	333,300
Camarillo—Completion of female group, units 16, 17, 18, 19 and 20	1,226,600
Camarillo—Roads, walks, curbs, drainage, parking areas, court yards, sprinkler system, landscaping, development of play areas	57,300
Camarillo—Street lights for female group	14,700
The Langley Porter Clinic—60 ft. addition south end of building including garages, 20,000 sq. ft.	200,000
NEW MAXIMUM SECURITY INSTITUTION—For male and female patients—including defective and psychopathic delinquents, criminal insane, insane with criminal tendencies, sexual psychopaths and narcotic addicts, but excluding insane prisoners. To include:	
Male unit 900 capacity	
Female unit 300 capacity	
Hospital unit 100 capacity	6,133,200
Mendocino—Alterations to Ward 12. To remodel Ward 12, making four individual wards for treatment patients rather than one ward for criminal cases. 14 capacity lost in alterations	220,000
NEW PSYCHIATRIC RESEARCH CLINIC IN LOS ANGELES	1,000,000
Sonoma—Replacement of stables, hay storage and grain storage, implement and tool shed and blacksmith shop	41,300
Sonoma—Physician's residence and equipment	13,300
Sonoma—New gymnasium	109,300
Sonoma—Hay barns, 2 hay sheds, addition to barn No. 3, corrals, fencing	26,000
Sonoma—Warehouse	30,700
Napa—Physician's residence and equipment	14,200
Norwalk—Combined carpenter and paint shop	55,700
Norwalk—Steam tunnel	33,900
Agnews—Annex Shop Building	21,300
Agnews—Cafeteria	16,800
Agnews—Stable and hay barn and blacksmith shop	12,700
Agnews—Female Ward Building. Replaces open air cottage	140,500
Agnews—Female Ward Building. Replaces Cottage M	140,500
Agnews—Ward Building. Male workers' cottage	174,300
Camarillo—Landscape central court, male unit. Install sprinkler system. Develop playground facilities	28,700
Camarillo—Employees' quarters A	26,000
Camarillo—Domestic well, including power line and pump	13,600
Camarillo—Residence for superintendent and equipment	48,000
Camarillo—Residence for assistant superintendent and equipment	16,700
Camarillo—Residence for clinical director and equipment	16,700
Camarillo—Apartments for single doctors and equipment	50,400
Camarillo—Hog plant	60,000
Camarillo—Slaughter house	20,000
Camarillo—Construction of pickup and delivery rooms for laundry, male and female units	44,300
Napa—Ward for 150 patients working at dairy and poultry ranch	200,000

Institution	*Item*	*Current cost*
Napa	Auditorium	$200,000
Napa	Carpenter shop	40,000
Napa	Paint shop	33,300
Napa	Sewing room	46,700
Napa	Mattress shop	20,000
Napa	Industrial occupational therapy shops (2)	106,700
Napa	Juvenile unit—expansion	200,000
Napa	Working ward for male patients	400,000
Napa	Working ward for female patients	333,300
First New Mental Hospital		5,333,200
Napa	Two physicians' residences and equipment	28,500
Stockton	Building for male patients. Replaces Ward 9, fourth floor, main building	466,700
Stockton	Three physicians' residences and equipment	40,000
Patton	Four physicians' residences and equipment	53,300
Norwalk	Two physicians' residences and equipment	26,700
Mendocino	Two physicians' residences and equipment	26,700
Camarillo	Poultry plant, including egg storage and feed houses	84,000
Sonoma	Bleachers and lights for recreation center	18,700
Sonoma	Crematory	60,000
Sonoma	Replace superintendent's residence and equipment	44,700
Sonoma	New female cottage	174,700
Sonoma	Replace Walnut Cottage, female	201,300
Sonoma	Replace male infirmary annex	201,300
Sonoma	New female cottage	174,700
Sonoma	New male cottage	200,000
Sonoma	Utilities for above buildings	77,300
Sonoma	Commissary and feeding units	600,000
Sonoma	Physician's residence and equipment	13,300
Agnews	Annex employees' home, Unit C	106,700
Agnews	Annex Auditorium	103,500
Camarillo	Disturbed Group Building	880,000
Camarillo	Freezing unit for fresh fruits and vegetables	33,300
Camarillo	Shoe shop and tailor shop	41,100
Camarillo	Post office, store and bus station	41,500
Camarillo	Aged and infirm group	687,300
Camarillo	500 hp. water tube boiler	40,000
Camarillo	Two physicians' residences and equipment	28,000
Napa	Ward building—Smith Brown Ranch	133,300
Napa	Ward building—Coombs Ranch	133,300
Napa	Rebuild cottage No. 21	42,000
Mendocino	Ranch ward. To replace Cottage 16	155,700
Mendocino	Tailor shop	36,700
Mendocino	Superintendent's residence and equipment	40,000
Mendocino	Cottage for dairyman and equipment	7,000
Mendocino	Cottage for chief engineer and equipment	7,000
Sonoma	Replace Bane Cottage	176,700
Sonoma	New female cottage—low grade, destructive type	200,000
Sonoma	New male cottage—including school rooms, custodial type	200,000
Sonoma	New female cottage	174,700
Sonoma	New male cottage	174,700
Sonoma	Utilities for above new buildings	34,700
Sonoma	Employees' apartment house	81,300
Sonoma	Replacement of automobile shop and garages for State cars, on new site	40,000
Sonoma	Replacement, enlargement and additional poultry buildings	26,700
Sonoma	Cottage for chief engineer and equipment	10,000
Camarillo	Farm buildings for patients and quarters for 20 employees	316,000
Sonoma	Replace Stoneman Annex, Main Building female	174,700
Sonoma	New male cottage	174,700
Sonoma	New female cottage	174,700
Sonoma	New male cottage	174,700
Sonoma	Replace Laurel Cottage	176,700
Sonoma	Utilities for above buildings	42,700
Sonoma	Cottage for orchardman and equipment	8,000
Sonoma	Physician's residence and equipment	13,300
Sonoma	Manor House—Officers' apartments	70,700
Pacific Colony	Poultry plant and hay barn	31,300
Pacific Colony	Employees' quarters	97,000
Norwalk	Administration Building addition	66,700

Institution *Item*	*Current cost*
Camarillo—Main entrance gate and Registration House	$26,700
Camarillo—Barber shop for male unit—12 chair shop and waiting room for 100	35,700
Camarillo—Laundry addition and equipment. Including dry cleaning plant	111,900
Camarillo—Nursery, greenhouse and horticultural center	15,700
Camarillo—Attendant group recreational building	44,800
Camarillo—Garages for farm building employees	6,700
Sonoma—Replace Bentley Hall, Main Building male	174,700
Sonoma—Replace Bentley Annex, Main Building male	174,700
Sonoma—Replace Judah Hall No. 1, Main Building female	174,700
Department of Corrections	$12,200,000

Location *Item*	*Current Estimated Cost*
San Quentin—Remodel and recquip kitchen	$133,300
San Quentin—Commissary, bakery and storage refrigerator	266,000
California Institution for Men—Additional housing units, including services and equipment for additional inmates	800,000
NEW—MEDICAL FACILITY, INCLUDING RECEPTION CENTER	5,130,000
NEW—MEDIUM SECURITY PRISON	4,000,000
San Quentin—Jute Mill Building ($225,000 from Jute Fund)	200,000
NEW—WOMEN'S PRISON	1,000,000
Folsom—Industrial Building	200,000
Folsom—Alteration and site improvement and utilities, including rebuilding Armory	50,000
San Quentin—Chapel and religious activities	133,000
San Quentin—Education Building addition	53,000
San Quentin—Warehouse and ground improvements	200,000
California Youth Authority	$7,000,000
Los Guilucos—Administration, Receiving Hospital and Detention Building	
Los Guilucos—Dormitory Building No. 1	
Los Guilucos—Dormitory Building No. 2	
Los Guilucos—School, Auditorium and Chapel Building	
Los Guilucos—Remodel present Dining Room and Kitchen Building to increased capacity	
Los Guilucos—Sewage disposal system	
Los Guilucos—Central hot water and heating unit	
Los Guilucos—Gymnasium Building	
Los Guilucos—Resurfacing, realignment of roads, driveways and walks, grounds improvement	$800,000
Los Guilucos—Staff Quarters Building to accommodate 20 single employees	
Los Guilucos—Farm general, improvement of present hedges, fences, farm	
Los Guilucos—Maintenance Equipment Building	
Los Guilucos—Superintendent's Cottage	
Los Guilucos—Commissary	
Los Guilucos—Replacement of Engineer's Cottage	
Preston—Trades Training Building and equipment	170,600
Ventura—Administration, Hospital, Receiving Unit and Staff Quarters Building	306,000
Ventura—Needle Trades Building and school extension	80,000
Ventura—Two cottages (30 capacity each)	168,600
Ventura—Remodeling present detention unit	27,000
Ventura—Remodel Employees Dining Room and Kitchen Building to accommodate 50 people	10,000
Preston—Alterations in existing Hospital; furniture and equipment	66,000
Preston—Four dormitory buildings	426,000
Preston—Bakery, commissary, etc. (To replace condemned bakery)	133,000
Ventura—Commissary Building	27,000
Ventura—Remodel and convert present Hospital Building into Girls' Cottage	20,000
Ventura—Gymnasium Building	126,600
Preston—Completion of dairy unit, equipment, furniture and machinery	24,000
Preston—Sewage disposal plant	35,300
Preston—Replacement of Administration Building	138,000
Preston—Fire House and quarters	24,000
Ventura—Grounds improvement and recreation area	20,000
Ventura—Employees residence and furnishings	16,000

Location *Item*	*Current Estimated Cost*
Preston—Employees quarters—(26 bungalows) 3—5 rm., 8—4 rm., 15—2 rm.	$190,600
Preston—Irrigation piping	27,000
Preston—Two staff officers' residences	33,000
Preston—Gymnasium Building	172,000
Preston—Roads and grounds improvements	133,000
Fricot—Three dormitories	184,000
Clinic South—Diagnostic and Classification Receiving Center for boys and girls	800,000
NEW BOYS SCHOOL	1,067,000
Clinic, North	633,300
Ventura—Detention unit	300,000
Preston—Repair and concrete delivery and diversion ditches	70,700
Preston—Replace obsolete street lighting and install A.C. service and motors	106,700
Fricot—Staff cottage	13,300
Fricot—Replace kitchen, dining room and refrigeration to accommodate 200 boys and 24 staff	40,000
Fricot—Four 5-room cottages for employees	50,000
Fricot—Gymnasium	93,300
Fricot—Storeroom and commissary	26,700
Fricot—Repairs to water system	13,300
Preston—Replace "D" and "H" Dormitory	213,300
Ventura—Chapel to seat 300 girls and 50 employees	53,300
Ventura—Remodel school to include 15 classrooms	86,700
Ventura—Remodel auditorium	20,000
Ventura—Employees residence of 20 single rooms	66,700
Veterans' Home	$2,400,000

Item	*Current Estimated Cost*
East Wing to Hospital	$119,000 (additional cost)
Convalescent Barracks	374,000
Domiciliary Barracks	347,000
Road and ground improvements	135,000
Cottages for physicians	67,000
Administration Building	125,000
Medical Center and Receiving Ward in connection with Administration Building	125,000
Women employees' quarters	200,000
Men employees' quarters and rooms for married help	200,000
Laundry and dry cleaning unit	187,000
Electric distribution lines	67,000
Ground lighting system	28,000
Auditorium and recreation center	280,000
State Department of Finance for State Capitol, Office and other Buildings	$15,800,000

Location *Item*	*Current Estimated Cost*
Sacramento—Capitol addition	$2,400,000
Sacramento—Capitol repairs	533,000
Sacramento—Office Buildings	3,000,000
San Francisco—State Building Annex	1,900,000
Los Angeles—State Building No. 2	2,400,000
San Diego—State Building	650,000
Sacramento—Governor's residence	175,000
Sacramento—Printing Plant	1,200,000
Oakland—State Building	500,000
Fresno—State Building	500,000
Sacramento—Garage	750,000
San Francisco—State Building No. 2	1,750,000
Department of Natural Resources	$3,300,000
Department of Motor Vehicles	$3,400,000
Los Angeles	$750,000
San Francisco	330,000
San Diego (State Building)	
East Los Angeles	100,000
Fresno (State Building)	
Bakersfield	50,000
Grass Valley	25,000
Hanford	25,000

Location	Item	Current Estimated Cost
Hayward		$25,000
Orange		40,000
Red Bluff		16,000
Riverside		50,000
Roseville		25,000
Martinez		25,000
Santa Maria		25,000
Susanville		16,000
Truckee		17,500
Tulelake		15,000
Vallejo		25,000
Willows		25,000
Chico		25,000
Sonora		16,000
Jackson		16,000
Colusa		16,000
Redwood City		25,000
Sacramento Office		1,650,000
Department of Agriculture		$400,000
	Yermo—Plant Quarantine Inspection Station	$52,600
	Benton—Plant Quarantine Inspection Station	13,300
	Coleville—Plant Quarantine Inspection Station	16,000
	Stateline—Plant Quarantine Inspection Station	16,000
	Banning—Standardization Inspection Station	19,600
	Alturas—Plant Quarantine Inspection Station	13,100
	Brockway—Plant Quarantine Inspection Station	8,400
	Tracy (Altamont)—Standardization Inspection Station	6,700
	Hollister—Standardization Inspection Station	6,700
	Parker—Plant Quarantine Inspection Station	9,600
	San Joaquin Valley—Poultry and Animal Disease Diagnostic Laboratory	100,000
	Southern California—Poultry and Animal Disease Diagnostic Laboratory	100,000
State Agricultural Society and Exposition Park—Sixth District Agricultural Association		$3,500,000
State Fair—Livestock Coliseum		$706,000
State Fair—Draft and showhorse barn		169,500
State Fair—Counties Exhibit Building		646,600
State Fair—Poultry, Rabbit and Pigeon Building		148,000
State Fair—Educational Exhibit Building		540,000
Exposition Park (Los Angeles)—Addition to Existing Building		1,250,000."

Amendment No. 2

On page 3 of the printed bill, strike out lines 21 and 22, and insert "of which not more than one million dollars shall be available to the

University of California	5,000,000.00"

Amendment No. 3

On page 3 of the printed bill, strike out lines 29 and 30, and insert "of unappropriated moneys in the State Treasury. None of said amount is payable out of the Postwar Unemployment and Construction Fund, and no moneys are payable out of said fund unless explicitly made payable therefrom by express provision of law. None of the moneys in said fund are deemed "unappropriated moneys" or "moneys not otherwise appropriated." No appropriation out of "unappropriated moneys" or out of "moneys not otherwise appropriated," or out of moneys similarly designated or described, by any statute heretofore or hereafter enacted, is an appropriation out of moneys in the Postwar Unemployment and Construction Fund."

Amendment No. 4

On page 3, lines 32 and 33, of said bill, strike out "or the Postwar Unemployment and Construction Fund".

Amendment No. 5

On page 3, line 37, of the printed bill, strike out "appropriated", and insert "allotted".

Amendment No. 6

On page 3, line 45, of said bill, strike out "the statement of capital expendi-"; and strike out lines 46 to 48, inclusive, and insert "Section 6."

Amendments read and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

Senate Bill No. 62—An act to amend Section 9102 of the Government Code, relating to the salaries of employees in the Legislative Offices in Alameda, Los Angeles, and San Francisco.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 56—An act to amend Section 16 of an act entitled "An act making an appropriation for allocation to cities, counties, and cities and counties to develop a Postwar Public Works Program comprising the preparation of surveys and plans and specifications for proposed public works and the acquisition of rights of way and sites for major streets, roads, bridges, sewerage and other public facilities, and providing the procedure for making such allocations," approved June 20, 1944, relating to allocations by the State for the cost of acquisition of rights of way and sites for public works projects.

Bill read second time.

Motion to Amend

Senator Gordon moved the adoption of the following amendments:

Amendment No. 1

In line 10 of the title of the printed bill, strike out the period, and insert ", and declaring the urgency thereof, to take effect immediately."

Amendment No. 2

On page 1, line 7, of the printed bill, strike out "public works", and insert "specific".

Amendment No. 3

On page 1 of the printed bill, strike out lines 9 and 10; and in line 11 strike out "and disposal plants and sanitary facilities".

Amendment No. 4

On page 1 of the printed bill, after line 13, insert

"SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Section 1 of Article IV of the Constitution and shall, therefore, go into immediate effect. A statement of the facts constituting such necessity is as follows:

The Legislature intended, by the enactment of the act cited in the title hereof, to create a substantial program of local postwar public works which will provide employment for returning veterans and those whose employment has been terminated by cessation of war production. The purposes of such legislation can be attained only if plans are prepared and sites and rights of way acquired immediately. To carry out these objectives and purposes, it is necessary that this amendment be made and that it take effect immediately."

Amendments read and adopted.

Bill ordered printed, engrossed, and to third reading.

MOTION TO BE CO-AUTHOR ON SENATE BILL NO. 56

Senator Gordon moved that his name be added to Senate Bill No. 56 as co-author.

Motion carried.

CONSIDERATION OF DAILY FILE (RESUMED)

SECOND READING OF SENATE BILLS (RESUMED)

Senate Bill No. 52—An act to amend Sections 3700 and 3701 of the Labor Code, relating to self-insurers under the Workmen's Compensation Law.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 59—An act to add Section 10182 to the Education Code, relating to the instruction by correspondence of veterans enrolled in schools or classes of school districts.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 48—An act to amend Section 24626 of the Education Code, relating to the use of county funds for the support and maintenance of extension work in agriculture and home economics.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Local Government:

Amendment No. 1

On page 1, line 10, of the printed bill, after "California.", insert "Such appropriation of county funds in any county having less than one million population shall not exceed thirty thousand dollars ($30,000)."

Amendment read and adopted.

Bill ordered printed, engrossed, and to third reading.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 10—An act to amend Section 16111 of the Education Code, relating to the computation of income of veterans for the purpose of determining tuition fees of their children.

Bill read second time, and ordered to third reading.

THIRD READING OF SENATE BILLS

Senate Bill No. 39—An act to amend Section 5 of an act entitled "An act relating to the determination of the wartime population of cities or cities and counties for purposes of allocation of moneys from the State Highway Fund and from the Motor Vehicle License Fee Fund for expenditures therein, and declaring the urgency thereof," approved May 18, 1943, relating to the time said act remains in effect, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Collier, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Rich, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—35.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Collier, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McBride, McCormack, Mixter, Powers, Rich, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—33.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Joint Resolution No. 1—Relative to memorializing the President and the Congress of the United States regarding the release from the armed forces of members of the California Highway Patrol.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McCormack, Mixter, Parkman, Powers, Rich, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—33.
NOES—None.

Resolution ordered transmitted to the Assembly.

Senate Bill No. 29—An act to add Section 4131.5 to, and to amend Section 4300c of, the Political Code, relating to recordation of military discharges and service records and documents of separation from military service, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Collier, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McCormack, Mixter, Parkman, Powers, Salsman, Seawell, Slater, Sutton, Ward, and Weybret—31.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Collier, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McCormack, Mixter, Parkman, Powers, Rich, Salsman, Seawell, Slater, Sutton, Swing, Tenney, and Ward—33.
NOES—None.

Bill ordered transmitted to the Assembly.

REQUEST FOR UNANIMOUS CONSENT

Senator Hatfield asked for, and was granted, unanimous consent to have the following opinion of the Legislative Counsel, regarding Senate Bills Nos. 31, 37, and 41, printed in the Journal:

Opinion of Legislative Counsel

OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, JANUARY 21, 1946

Honorable George J. Hatfield,
Senate Chamber, State Capitol, Sacramento, California

PROPOSED AMENDMENT TO SENATE BILLS NOS. 31, 37, AND 41—No. 7051

DEAR SENATOR HATFIELD: You have asked if a certain amendment offered to Senate Bill No. 37, and similar amendments to Senate Bills Nos. 41 and 31, would be germane to and relate to the same subject as the bill to which offered. Specifically, the amendment offered to Senate Bill No. 37 reads as follows:

> On page 3 of the printed bill, strike out lines 29 and 30, and insert "of unappropriated moneys in the State Treasury. None of said amount is payable out of the Postwar Unemployment and Construction Fund, and no moneys are payable out of said fund unless explicitly made payable therefrom by express provision of law. None of the moneys in said fund are deemed 'unappropriated moneys' or 'moneys not otherwise appropriated.' No appropriation out of 'unappropriated moneys' or out of 'moneys not otherwise appropriated,' or out of moneys similarly designated or described, by any statute heretofore or hereafter enacted, is an appropriation out of moneys in the Postwar Unemployment and Construction Fund."

In our opinion, the first portion of the proposed insertion is germane and does relate to the same subject as Senate Bill No. 37, that portion which reads as follows:

"of unappropriated moneys in the State Treasury. None of said amount is payable out of the Postwar Unemployment and Construction Fund."

The remainder of the proposed insertion is in the nature of a general statutory interpretation clause, interpreting or defining the expression "Postwar Unemployment and Construction Fund," also interpreting or defining the expressions "unappropriated moneys" and "moneys not otherwise appropriated" whenever used in any statute heretofore or hereafter enacted. As such, we think it goes beyond the subject of Senate Bill No. 37 (the appropriation of money for a specific purpose), is therefore in violation of Joint Rule 9. Also, this portion of the proposed insertion would appear not germane (Senate Standing Rule 20 and Section 266 of Mason's Manual).

The same observations apply to the similar proposed amendments to Senate Bills Nos. 41 and 31.

It is true that the courts have construed the provision requiring singleness of subject with considerable liberality. In *Evans* v. *Superior Court*, 215 Cal. 58, the court held the Probate Code constitutional. In the *Matter of Maginnis*, 162 Cal. 200, the Juvenile Court Law was sustained. In each case the court held that the diverse provisions of the statutes were aimed at the accomplishment of but one general object or purpose.

In the case of the proposed amendment, except for the first portion (above described), we do not believe that the provisions of the original bills and of the amendments are conducive to accomplishing a single object or purpose. The object of each of the bills is to provide money for a certain purpose. The provisions of the latter portions of the amendment do nothing to promote this object, nor do they limit the means whereby the object can be accomplished.

We do not think that a general interpretation clause, such as the latter portion of the proposed amendment, is within the scope of the subject of any of these bills.

In this connection we wish to state that when we prepared these amendments for you the other day we felt that there might be some ambiguity in the expression "unappropriated moneys" in relation to this fund and orally so advised you.

Further consideration convinces us that under the existing law no bill appropriating "unappropriated moneys" or "moneys in the State Treasury not otherwise appropriated," or referring to the source by similar designation or description, appropriates from the Postwar Unemployment and Construction Fund; no such bill makes any of the moneys in this fund available for expenditure.

The General Fund in the State Treasury consists of money received into the Treasury and not required by law to be credited to any other fund (Sec. 16300, Govt. Code).

Chapter 647 of the Statutes of 1945 effected a statutory transfer of $90,000,000 to a special fund, the Postwar Unemployment and Construction Fund. This is a special fund, and no appropriation can be made from it without specific designation of it.

Our Supreme Court, in holding that an appropriation of a specific sum of money for a designated public purpose (without mention of the State Treasury, or of moneys not otherwise appropriated, or of any particular fund in the State Treasury) was an appropriation out of the General Fund, referred to the custom, already (1889) long established, of using the expression "out of any moneys in the State Treasury not otherwise appropriated" as a means of identifying the General Fund as the source of an appropriation of money, and deemed that expression an unnecessary though convenient identification of the General Fund. It would require specific identifying language, in an appropriation bill, to take money out of any specifically named fund other than the General Fund. (*Proll* v. *Dunn*, 80 Cal. 220.)

When the Legislature has (as it did in Chapter 647 of the Statutes of 1945) expressly "created and established" a *fund*, designated it the "Postwar Unemployment and Construction," set aside and transferred to it a specific sum of money "out of unappropriated moneys in the State Treasury," and declared that "no money shall be withdrawn from said fund except and only when appropriated by the Legislature" for certain described purposes (Section 2 of Chapter 647), a legislative intent (in any appropriation bill) to expend moneys of this fund must be quite definitely and certainly expressed. In our opinion a bill which appropriates "unappropriated moneys" or "moneys in the State Treasury not otherwise appropriated" does not express an intent to make any moneys in the "Postwar Unemployment and Construction Fund" available for expenditure.

Very truly yours,

FRED B. WOOD, Legislative Counsel
By JOSEPH W. PAULUCCI, Chief Deputy

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 31—An act making an appropriation to meet a deficiency in the appropriation contained in Chapter 1208, Statutes of 1941, for construction of a dam and pertinent works to impound the waters of Rector Creek in Napa County, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Collier, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—36.
NOES—None.

Bill ordered transmitted to the Assembly.

MOTION TO CONTINUE ON FILE

Senator Hatfield moved that Senate Bills Nos. 42, 23, 22, 19, 55, and 50 be continued on file, without penalty.

Motion carried.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 11—An act to extend the effective date of an act entitled "An act relating to the performance by the Department of Public Works of highway and other cooperative work for the Federal Government, making an appropriation for administrative expenses, declaring the urgency thereof, and providing that this act shall take effect immediately," approved February 10, 1943, as amended.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Collier, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—36.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Collier, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—36.
NOES—None.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

SENATE CHAMBER, SACRAMENTO, January 21, 1946

MR. PRESIDENT: Your Committee on Judiciary, to which was referred:

Senate Bill No. 13

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 12; committee vote: Ayes 9; absent 3.

KEATING, Chairman

Above reported bill ordered to second reading.

ADJOURNMENT

At 3.17 p.m., on motion of Senator Seawell, the President declared the Senate adjourned until 11 a.m., Tuesday, January 22, 1946.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-SIXTH (FIRST EXTRAORDINARY) SESSION

SENATE DAILY JOURNAL

TWELFTH LEGISLATIVE DAY

SIXTEENTH CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO
Tuesday, January 22, 1946

The Senate met at 11 a.m.

Hon. Frederick F. Houser, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Biggar, Breed, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—38.

Quorum present.

PRAYER

By invitation of the President, prayer was offered by Rev. Robert A. Preston, Chaplain of McClellan Field.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Deuel, on motion of Senator Seawell, due to illness.

Senator Burns, on motion of Senator Seawell, due to legislative business elsewhere.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Honorable Herbert E. Lewis, Mayor; and Albert C. Ramsey, City Prosecutor, of Long Beach.

On request of Senator Sutton, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following Hi-Y students and their adviser, Mr. Charles E. Meridith, Science Instructor, of the Glenn County High School: Bob Lohse, Dick Lohse, Alexander Dessler, Homer Holmes, James Feeney, Henry Sexton, Ernest Lederer, George Otterson, Don Otterson, Linn Ferguson, Lawrence Cummins, Rey Mirande, Russell Ward, Keith Ekstrom, and Roger Slates.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 21, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 52
Senate Bill No. 59
Senate Bill No. 62

And reports the same correctly engrossed. SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 22, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 48
Senate Bill No. 56

And reports the same correctly engrossed. SEAWELL, Chairman

Committee on Education

SENATE CHAMBER, SACRAMENTO, January 21, 1946

MR. PRESIDENT: Your Committee on Education, to which was referred:

Senate Bill No. 64

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 7; absent 2.

SLATER, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, January 21, 1946

MR. PRESIDENT: Your Committee on Education, to which was referred:

Senate Bill No. 46

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 7; absent 2.

SLATER, Chairman

Above reported bill ordered to second reading.

Committee on Water Resources

SENATE CHAMBER, SACRAMENTO, January 21, 1946

MR. PRESIDENT: Your Committee on Water Resources, to which was referred:

Senate Bill No. 41

Has had the same under consideration, and reports the same back with the recommendation: Be re-referred to Committee on Finance.

Committee membership 9; committee vote: Ayes 5; noes 3; absent 1.

JESPERSEN, Chairman

Above reported bill re-referred to Committee on Finance.

Committee on Local Government

SENATE CHAMBER, SACRAMENTO, January 21, 1946

MR. PRESIDENT: Your Committee on Local Government, to which was referred:

Senate Bill No. 53

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 5; absent 4.

CUNNINGHAM, Chairman

Above reported bill ordered to second reading.

Committee on Natural Resources

SENATE CHAMBER, SACRAMENTO, January 21, 1946

MR. PRESIDENT: Your Committee on Natural Resources, to which was referred:

Senate Bill No. 70

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 9; committee vote: Ayes 5; absent 4.

FLETCHER, Chairman

Above reported bill re-referred to Committee on Finance.

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 21, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Assembly Joint Resolution No. 7

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 4; absent 1.

SEAWELL, Chairman

Above reported resolution ordered to third reading.

SENATE CHAMBER, SACRAMENTO, January 21, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Proposed Senate Bill No. 83

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Education.

Committee membership 5; committee vote: Ayes 4; absent 1.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 21, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Proposed Senate Bill No. 82

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Transportation.

Committee membership 5; committee vote: Ayes 4; absent 1.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 21, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Proposed Senate Bill No. 81

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Military and Veterans Affairs.

Committee membership 5; committee vote: Ayes 4; absent 1.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 21, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Proposed Senate Bill No. 80

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Local Government.

Committee membership 5; committee vote: Ayes 4; absent 1.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 21, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Proposed Senate Bill No. 79

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Judiciary.

Committee membership 5; committee vote: Ayes 4; absent 1.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 21, 1946

MR. PRESIDENT: Your Committee on Rules, to which were referred:

Proposed Senate Concurrent Resolution No. 13

Proposed Senate Concurrent Resolution No. 14

Has had the same under consideration, and finds that same are within the purview of the call, and directs that they be referred to the Committee on Natural Resources.

Committee membership 5; committee vote: Ayes 4; absent 1.

SEAWELL, Chairman

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following bills were introduced, and read the first time:

Senate Bill No. 79: By Senator Carter—An act to add Section 1247.5 to the Code of Civil Procedure, relating to eminent domain.

Referred to Committee on Judiciary.

Senate Bill No. 80: By Senator Burns—An act to amend Section 3 of an act entitled "An act authorizing any county in the State of California to aid any city operating under a freeholders' charter, or otherwise, in the State of California, in the acquisition of real or personal property for the purpose of constructing and completing improvements thereon necessary and convenient to the maintenance of airports, the flying and landing of aircraft and the maintenance of same, to take effect immediately," approved May 13, 1941, relating to publicly owned airports, declaring the urgency hereof, to take effect immediately.

Referred to Committee on Local Government.

Senate Bill No. 81: By Senators Burns, Tenney, and Dilworth—An act to add Article 5 to Chapter 6 of Division 4 of the Military and Veterans Code relating to the acquisition and sale of building materials by the Veterans' Welfare Board, and declaring the urgency thereof; to take effect immediately.

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 82: By Senators Biggar and Brown—An act to amend Section 5a of the California Air Navigation Act, and to add Section 5.1 thereto, relating to the commercial operation of aircraft between fixed termini within this State.

Referred to Committee on Transportation.

Senate Bill No. 83: By Senators Powers, McCormack, and Brown—An act to add Chapter 13.6 to Division 3 of the Education Code, relating to the support of school districts in distress as a result of war created conditions, and making an appropriation therefor.

Referred to Committee on Education.

Senate Concurrent Resolution No. 13: By Senators Parkman, Salsman, Biggar, Mixter, Ward, McBride, Judah, Weybret, Gordon, DeLap, Shelley, Dorsey, Tenney, Quinn, Collier, Crittenden, Keating, Kuchel, and Fletcher—Relative to memorializing the State Park Commission in regard to the acquisition of State parks.

Referred to Committee on Natural Resources.

Senate Concurrent Resolution No. 14: By Senator Swing—Relative to the acquisition of certain lands near the Colorado River for a State park.

Referred to Committee on Natural Resources.

THE FOLLOWING PROPOSED BILLS WERE READ, AND REFERRED TO COMMITTEE ON RULES

By Senator Dorsey—An act making an appropriation for investigation, survey and report concerning construction and operation of public works for the control and utilization of the flood waters of Caliente Creek, Kern County, and its tributaries, an urgency measure to take effect immediately.

By Senator Jespersen—An act to add Article 4 to Chapter 1 of Division 1 of the Education Code, relating to the empowering of the Department of Education to act in connection with the acquisition by the schools of the State of surplus property from the Federal Government and making an appropriation therefor, declaring the urgency thereof, to take effect immediately.

By Senator Salsman—An act to provide for housing facilities for State college students and personnel, and making an appropriation therefor, declaring the urgency hereof, to take effect immediately.

CONSIDERATION OF DAILY FILE
UNFINISHED BUSINESS

Senate Concurrent Resolution No. 8—Relative to the creation of a Joint Special Committee on Federal Tideland Legislation.

The question being: Shall the Senate concur in the following Assembly amendment to Senate Concurrent Resolution No. 8?

Amendment No. 1

On page 2, paragraph 6, line 39, of the printed measure, after "of", strike out "three", and insert "six"; and after "dollars" and "($", strike out "3", and insert "6".

The roll was called, and the Senate concurred in Assembly amendment to Senate Concurrent Resolution No. 8 by the following vote:

AYES—Senators Biggar, Breed, Brown, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, McBride, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Shelley, Slater, Tenney, Ward, and Weybret—31.
NOES—None.

Above resolution ordered enrolled.

SECOND READING OF SENATE BILLS

Senate Bill No. 13—An act to validate the organization, boundaries, governing officers or boards, acts, proceedings, and bonds of public bodies, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 13, of the printed bill, after "highway districts," insert "highway lighting districts,".

Amendment No. 2

On page 1, line 16, of the printed bill, after "districts," insert "public cemetery districts,".

Amendment No. 3

On page 2 of said bill, between lines 29 and 30, insert
"SEC. 6. All acts and proceedings heretofore taken by any public body under any law, or under color of any law, for the annexation or inclusion of territory into any such public body are hereby confirmed, validated, and declared legally effective. This shall include all acts and proceedings of the governing board of such public body and of any person, public officer, board or agency heretofore done or taken upon the question of the annexation or inclusion of such territory."

Amendment No. 4

On page 2, line 30, of said bill, strike out "6", and insert "7".

Amendment No. 5

On page 2, line 45, of said bill, strike out "7", and insert "8".

Amendment No. 6

On page 2, line 46, of said bill, strike out "8", and insert "9".

Amendment No. 7

On page 2 of said bill, between lines 44 and 45, insert
"(d) This act shall not operate to confirm, validate, or legalize any act, proceeding, or other matter the legality of which is being contested or inquired into in any legal proceeding now pending and undetermined."

Amendment read and adopted.

Further Amendments to Senate Bill No. 13

Motion to Amend

Senator Mixter moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 31, of the printed bill, after "irregularities," insert "omissions,".

Amendment read and adopted.

Bill ordered printed, engrossed, and to third reading.

MOTION TO CONTINUE ON FILE

Senator Seawell moved that Senate Bills Nos. 42, 23, 22, 19, 55, 50, and 59 be continued on file without penalty.

Motion carried.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS

Senate Bill No. 62—An act to amend Section 9102 of the Government Code, relating to the salaries of employees in the Legislative Offices in Alameda, Los Angeles, and San Francisco.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Collier, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, McBride, Mixter, Parkman, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Tenney, Ward, and Weybret—33.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 52—An act to amend Sections 3700 and 3701 of the Labor Code, relating to self-insurers under the Workmen's Compensation Law.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Collier, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McBride, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Tenney, Ward, and Weybret—35.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 48—An act to amend Section 24626 of the Education Code, relating to the use of county funds for the support and maintenance of extension work in agriculture and home economics.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Collier, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McBride, Mixter, Parkman, Powers, Quinn, Salsman, Seawell, Shelley, Slater, Sutton, Tenney, Ward, and Weybret—34.

NOES—None.

Bill ordered transmitted to the Assembly.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 10—An act to amend Section 16111 of the Education Code, relating to the computation of income of veterans for the purpose of determining tuition fees of their children.

Bill read third time, and presented by Senator Fletcher.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Collier, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—36.

NOES—None.

Bill ordered transmitted to the Assembly.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

Assembly Bill No. 2

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 22, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Concurrent Resolution No. 9—Relative to hunting in State parks;

Senate Joint Resolution No. 2—Relative to memorializing the President and Congress of the United States to declare as surplus all unnecessary building materials held by the armed forces and to provide preference rights to veterans in sales of such materials;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the twenty-second day of January, 1946, at 12 noon.

SEAWELL, Chairman

MOTION TO PRINT COMPARISON OF ASSEMBLY BILL NO. 55 AND SENATE BILL NO. 74

Senator Tenney moved that the following comparison of Assembly Bill No. 55 and Senate Bill No. 74 be printed in the Journal:

Motion carried.

Comparison of Assembly Bill No. 55 and Senate Bill No. 74

A.B. 55	*S.B. 74*
FULL-EMPLOYMENT	THE CALIFORNIA EMPLOYMENT-PRODUCTION ACT
Objectives:	*Objectives:*
15600. Conversion to peacetime economy; reemployment of veterans and war workers; maintenance of full employment; fostering free competitive enterprise, private investment, development of natural resources; extending purchasing power of workers.	15610. Attain and maintain high level of employment, self-employment, production, and purchasing power. Stimulate private enterprise when widespread unemployment exists or threatens; aid in removing or preventing inflationary or deflationary conditions, existing or threatened.
Methods:	*Methods:*
State responsibility: (1) to cooperate with public and private agencies in determining estimated labor force, volume of public and private investment required to produce employment therefor; (2) to pursue economic policies to stimulate and encourage highest feasible level of employment opportunities through nongovernmental sources, and (3) to insure that State and local governmental expenditures are designed to contribute to wealth and well-being of State and Nation and to stimulate private employment opportunities.	Fostering investment of private capital, development of natural resources, individual initiative. Avoiding government competition with private enterprise; adopting sound fiscal policies; maintaining State credit. Study of causes of economic fluctuations, conditions, and trends. Encouragement of local governmental agency plans for public works, programs expandable or contractible to meet unemployment or inflationary conditions. Planning such a program for the State. Loans by State.

Comparison of Assembly Bill No. 55 and Senate Bill No. 74—Continued

A.B. 55—Continued	*S.B. 74*—Continued
Administration	
15610, et seq. Council: Seven-man State Economic Council representing business, agriculture, labor, and public. Appointed by Governor. Staggered terms. No compensation; reimbursement for expenses. Director of Economic Research at not more than $10,000 annually, appointed by Governor on nomination of council.	15630. Three-man Council of Economic Advisors, qualified to interpret and analyze economic development, formulate, and recommend State economic policies. Appointed by and serving at pleasure of Governor. Salaries not to exceed unspecified maximum.
Powers and Duties of Councils	
15620, et seq. Conduct continuous survey of economic conditions, trends, population changes. Report to Governor at quarterly or longer intervals, as he directs, on: Current and future economic conditions, trends, population, labor force employment, income, and production; steps to create and maintain highest level of production, consumption, employment, income, and purchasing power.	15632. Gather and study information re trends to determine whether interference with policies of act exists or is likely; appraisal programs in light of policies; recommend policies to Governor to attain objective, including methods; ascertain causes of economic ills.
Governor	
15630. On basis of above, he shall transmit Production and Employment Budget, program and recommendations to Legislature during first 30 days of regular session, and on first day of calendar quarter during session.	15620. On basis of above, shall transmit Economic Report, and recommendations to Legislature during first 15 days of regular session, and such supplemental reports and recommendations as he deems necessary. Report shall be referred to Joint Committee on Economic Report.
Advisory Agencies	
15633. Governor establishes and appoints. Nonsalaried.	15635. Council establishes.
Legislative Participation	
15640. *Composition:* Joint Committee. Four from each house, two in each house selected by majority and minority parties.	15640. *Composition:* Joint Committee. Ten members. Chairman Senate Committees on Finance and Governmental Efficiency and Assembly Committees on Ways and Means and Governmental Efficiency and Economy.
Duties: Study budget; make recommendations; report resolution for adoption for policy guidance of legislative committees dealing with legislation re budget.	*Duties:* Make continuing study of matters re Economic Report; coordination of loans, public works and expenditures to further purpose of act. Make report for policy guidance of other committees on each recommendation of Governor.
Expenses: $10,000 appropriated by bill.	*Expenses:* One-half from Contingent Fund of each house as made available.

ADJOURNMENT

At 12.05 p.m., on motion of Senator Seawell, the President declared the Senate adjourned until 11 a.m., Wednesday, January 23, 1946.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-SIXTH (FIRST EXTRAORDINARY) SESSION

SENATE DAILY JOURNAL

THIRTEENTH LEGISLATIVE DAY
SEVENTEENTH CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO
Wednesday, January 23, 1946

The Senate met at 11 a.m.
Hon. Frederick F. Houser, President of the Senate, presiding.
Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—39.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Dr. Clarence A. Kircher.

LEAVES OF ABSENCE FOR THE DAY

The following Senator was granted leave of absence for the day:

Senator Deuel, on motion of Senator Mixter, due to illness.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Seawell, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Earl E. Retzer, Commander of American Legion, Napa; Ernest D. Wichels, Administrative Officer, U. S. Navy Yard, Mare Island; Mrs. Lela Brown of Roseville; and Mr. and Mrs. Phillip H. Carroll of Yuba City.

On request of Senator Fletcher, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Col. Dean Sherry, Judge of the Superior Court, San Diego.

On request of Senator Hatfield, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Stephen D. Bechtel, President, W. A. Bechtel Co., San Francisco; Donald M. Nelson, President, Society of Independent Motion Picture Producers, Hollywood; Mervyn Rathborne, State Secretary-Treasurer, California C. I. O. Coun-

cil, San Francisco; D. G. Fleet, Vice President, Consolidated Vultee Aircraft Corporation, San Diego; and C. J. Haggerty, Secretary, California Federation of Labor, San Francisco.

On request of Senators Biggar and Shelley, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Ernst F. Asher of San Francisco.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Clinton J. Fulcher, former Assemblyman of Lookout, Modoc County.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 7
Assembly Bill No. 54
Assembly Bill No. 62
Assembly Bill No. 63
Assembly Bill No. 64
Assembly Bill No. 82
Assembly Bill No. 95
Assembly Bill No. 106

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By HAROLD F. LEWRIGHT, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 88

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By C. W. QUEALE, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Joint Resolution No. 8
Assembly Concurrent Resolution No. 13

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By HAROLD F. LEWRIGHT, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

Assembly Bill No. 7—An act to amend Sections 19601, 19608, 19613, and 19616 of, and to add Section 19613.5 to, the Education Code, relating to child care centers, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Rules.

Assembly Bill No. 54—An act to add Section 19402 to the Government Code, relating to leaves of absence of veterans in the State civil service.

Referred to Committee on Rules.

Assembly Bill No. 62—An act to amend Section 699.5 of the Military and Veterans Code, relating to assistance to veterans, prescribing the powers and duties of the Veterans' Welfare Board in aiding veterans in connection with veterans' rights, privileges, and preferences, and making an appropriation.

Referred to Committee on Rules.

Assembly Bill No. 63—An act making an appropriation to the Veterans' Welfare Board for the purpose of providing educational assistance for veterans.

Referred to Committee on Rules.

Assembly Bill No. 64—An act making an appropriation for the construction of a women's unit at the Veterans' Home of California.

Referred to Committee on Rules.

Assembly Bill No. 82—An act to add Article 5, comprising Sections 20920 to 20922, inclusive, to Chapter 7 of Part 3 of Division 5 of Title 2 of the Government Code relating to the State Employees' Retirement System, providing for crediting service in the United States Employment Service as State service to certain members and under certain conditions specified therein, and providing for contributions by members and by the State in respect to such service.

Referred to Committee on Rules.

Assembly Bill No. 95—An act making an appropriation to the Department of Finance for construction, improvements, and equipment, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Rules.

Assembly Bill No. 106—An act to amend Section 988.3 of the Military and Veterans Code, relating to funds of the Veterans' Welfare Board.

Referred to Committee on Rules.

Assembly Bill No. 88—An act to provide for the making of a survey of the hospital and health center facilities and needs of the State and the development of a Program for the Construction of Hospitals, and Health Centers, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Rules.

Assembly Joint Resolution No. 8—Relative to amendment and extension of the Federal Social Security Act in respect to public assistance.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 13—Relative to the March of Dimes and urging participation therein.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 23, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 13

And reports the same correctly engrossed.

SEAWELL, Chairman

Committee on Business and Professions

SENATE CHAMBER, SACRAMENTO, January 22, 1946

MR. PRESIDENT: Your Committee on Business and Professions, to which was referred:

Assembly Bill No. 53

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 5; absent 4.

DELAP, Chairman

Above reported bill ordered to second reading.

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 22, 1946

MR. PRESIDENT: Your Committee on Rules, to which were referred:

Proposed Senate Bill No. 85
Proposed Senate Bill No. 86

Has had the same under consideration, and finds that same are within the purview of the call, and directs that they be referred to the Committee on Education.

Committee membership 5; committee vote: Ayes 4; absent 1.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 22, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Proposed Senate Bill No. 84

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Water Resources.

Committee membership 5; committee vote: Ayes 4; absent 1.

SEAWELL, Chairman

Committee on Governmental Efficiency

SENATE CHAMBER, SACRAMENTO, January 23, 1946

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 18

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 10; absent 1.

SWING, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, January 22, 1946

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which were referred:

Assembly Bill No. 65
Assembly Bill No. 73

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 10; absent 1.

SWING, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, January 22, 1946

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred:

Assembly Joint Resolution No. 4

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 11; committee vote: Ayes 10; absent 1.

SWING, Chairman

Above reported resolution ordered to third reading.

Committee on Agriculture

SENATE CHAMBER, SACRAMENTO, January 23, 1946

MR. PRESIDENT: Your Committee on Agriculture, to which was referred:

Senate Bill No. 54

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 11; committee vote: Ayes 6; absent 5.

CRITTENDEN, Chairman

Above reported bill re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, January 23, 1946

MR. PRESIDENT: Your Committee on Agriculture, to which was referred:

Senate Bill No. 49

Has had the same under consideration, and reports the same back with amendment with the recommendation: Amend, and do pass, as amended, and be re-referred to the Committee on Finance.

Committee membership 11; committee vote: Ayes 6; absent 5.

CRITTENDEN, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, January 23, 1946

MR. PRESIDENT: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 18

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 6; absent 5.

CRITTENDEN, Chairman

Above reported bill ordered to second reading.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following bills were introduced, and read the first time:

Senate Bill No. 84: By Senator Dorsey—An act making an appropriation for investigation, survey and report concerning construction and operation of public works for the control and utilization of the flood waters of Caliente Creek, Kern County, and its tributaries, an urgency measure to take effect immediately.

Referred to Committee on Water Resources.

Senate Bill No. 85: By Senator Jespersen—An act to add Article 4 to Chapter 1 of Division 1 of the Education Code, relating to the empowering of the Department of Education to act in connection with the acquisition by the schools of the State of surplus property from the Federal Government and making an appropriation therefor, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Senate Bill No. 86: By Senator Salsman—An act to provide for housing facilities for State college students and personnel, and making an appropriation therefor, declaring the urgency hereof, to take effect immediately.

Referred to Committee on Education.

THE FOLLOWING PROPOSED BILLS WERE READ, AND REFERRED TO COMMITTEE ON RULES

By Senators Rich and DeLap—An act providing for school district public works and making an appropriation therefor, declaring the urgency thereof, to take effect immediately.

By Senators Dilworth, Quinn, Biggar, Mixter, and DeLap—An act to add Sections 164.5 and 206.7 to the Welfare and Institutions Code, relating to reports concerning veterans in public institutions.

By Senator Salsman—An act relating to airports, creating a Division of Airports in the Department of Public Works, with a Chief of the Division of Airports therein, prescribing his powers and duties with respect to all airports in this State, amending Section 14005 of the Government Code, and making an appropriation therefor.

By Senators Hulse, Swing, Hatfield, Gordon, Carter, Powers, Collier, Brown, Sutton, Jespersen, Quinn, Dilworth, Biggar, Tenney, Weybret, Dorsey, Cunningham, Donnelly, Judah, Burns, Fletcher, Shelley, Mayo, McBride, Keating, Slater, and Parkman—An act making an appropriation for allocation to cities, counties, and cities and counties for the prevention or alleviation of unemployment through the construction of public works in which there is a State interest, and providing the procedure for making such allocations.

By Senator Quinn—An act to add Section 28 to the Civil Code, relating to contract and property rights of persons under the age of 21 years.

By Senator Quinn—An act making an appropriation to the Department of Education to be expended for the performance of the powers and duties of the department relating to veterans, to take effect immediately.

CONSIDERATION OF DAILY FILE

SECOND READING OF SENATE BILLS

Senate Bill No. 64—An act to add Section 14495.1 to the Education Code, relating to the contributions of veterans, to funds of the State Teachers Retirement System, declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 46—An act to amend Sections 19601, 19608, 19613, and 19616 of, and to add Section 19613.5 to, the Education Code, relating to child care centers, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 8, of the printed bill, after "America", insert "is now engaged, without imposing additional taxes on property which the owners of such property can not, because of the burdens imposed by such war, be reasonably expected to bear."

Amendment No. 2

On page 1, lines 11 and 12, of said bill, strike out "was engaged during 1945, which emergency has not yet ceased."

Amendments read and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 53—An act to amend Section 23 of the "District Investigation Act of 1933," relating to special tax and assessment districts.

Bill read second time, ordered engrossed, and to third reading.

THIRD READING OF SENATE BILLS

Senate Bill No. 42—An act to repeal Division 1 and Sections 691, 692, 693, 696, 697, 992, 992.3, 992.4, 1015, 1016, 1017, 1020, 1021, 1028, 1029, 1086, and 1087 of, to add Division 1 to, and to amend Section 1084 of, the Military and Veterans Code, to amend Section 18620 of, and to add Section 18629 to, the Business and Professions Code, providing for the reorganization of the State agencies concerned with veterans and veterans affairs and for matters incidental thereto, including the establishment of a Department of Veterans Affairs, California Veterans Board, and Director of Veterans Affairs and prescribing the powers, duties, purposes, and functions of each, abolishing the Department of Military and Veterans Affairs, creating the Office of The Adjutant General and placing The Adjutant General therein, placing the Division of Athletics in the Department of Professional and Vocational Standards, and providing for the transfer of funds, personnel, property and records.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—36.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 19—An act to add Article 5A, comprising Sections 993 to 994.3 inclusive, to Chapter 6 of Division 4 of the Military and Veterans Code, authorizing the creation of a debt or debts, liability or liabilities, through the issuance and sale of State bonds, for the single object of creating a fund to provide farm and home aid for veterans in accordance with the provisions of the Veterans Farm and Home Purchase Act of 1943; defining the powers and duties of said committee and of the Veterans' Welfare Board and other State officers in respect to the administration of the provisions hereof; providing ways and means, exclusive of loans, for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures; appropriating money for the expense of preparing and of advertising the sale of bonds herein authorized to be issued; and providing for the submission of this act to a vote of the people at the general election to be held in the month of November, 1946.

Bill read third time.

Previous Question

Senator Rich moved the previous question.

Motion carried.

The question being on the final passage of Senate Bill No. 19.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Keating, Kuchel, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—37.

NOES—None.

Bill ordered transmitted to the Assembly.

RECESS

At 11.54 a.m., on motion of Senator Hatfield, the Senate recessed to hear the remarks of Mr. Donald M. Nelson, President, Society of Independent Motion Picture Producers.

REASSEMBLED

At 11.59 a.m., the Senate reconvened.

Hon. Frederick F. Houser, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 23—An act to repeal an act entitled "An act to add Article 5a, comprising Sections 933 to 994.3 inclusive, to Chapter 6 of Division 4 of the Military and Veterans Code, authorizing the creation of a debt or debts, liability or liabilities, through the issuance and sale of State bonds, for the single object of creating a fund to provide farm and home aid for veterans in accordance with the provisions of the Veterans Farm and Home Purchase Act of 1943; defining the powers and duties of said committee and of the Veterans' Welfare Board and other State officers in respect to the administration of the provisions hereof; providing ways and means, exclusive of loans, for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures; appropriating money for the expense of preparing and of advertising the sale of bonds herein authorized to be issued; and providing for the submission of this act to a vote of the people at the general election to be held in the month of November, 1946," approved July 17, 1945, relating to the purchase of farms and homes for veterans.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Burns, Carter, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—37.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 22—An act to amend Sections 980 and 985 and to amend and renumber the article heading of the second Article 3 of Chapter 6 of Division 4 of, and to add Sections 831 and 842 to, the Military and Veterans Code, relating to the purchases of farms and homes by veterans of World War I and veterans of World War II, abolishing the Veterans' Farm and Home Building Fund, and facilitating the work of the Veterans' Welfare Board.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Jespersen, Judah, Kuchel, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—36.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 55—An act to amend Sections 813, 815, 820 and 986.3 of the Military and Veterans Code, relating to the purchase of homes by veterans.

Bill read third time.

Motion to Amend

Senator Kuchel moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "and", and after "986.3", insert ", and 986.5".

Amendment No. 2

On page 1 of said bill, strike out lines 11, 12, and 13, and insert "exceed the sum of thirteen thousand five hundred dollars ($13,500) in the case of a farm, or seven thousand five hundred dollars ($7,500) in the case of a home."

Amendment No. 3

On page 1 of said bill, strike out lines 16 to 22, inclusive, and insert "sum of seven thousand five hundred dollars ($7,500), and a veteran purchasing the home may advance the difference between the purchase price of the home and the cost of the home to the board, but in no case shall the total purchase price thereof exceed ten thousand dollars ($10,000). The cost of a farm to the board shall not exceed thirteen thousand five hundred dollars ($13,500), and a veteran purchasing the farm".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets:

Amendment No. 4

On page 2 of said bill, strike out lines 40, 41, and 42, and insert "exceed the sum of thirteen thousand five hundred dollars ($13,500) in the case of a farm, or seven thousand five hundred dollars ($7,500) in the case of a home.

SEC. 4. Section 986.5 of said code is amended to read:

986.5. The cost of a home to the board shall not exceed the sum of [six thousand five hundred dollars ($6,500)] *seven thousand five hundred dollars ($7,500)*, and a veteran purchasing the home may advance the difference between the purchase price of the home and the cost of the home to the board, but in no case shall the total purchase price thereof exceed ten thousand dollars ($10,000). The cost of a farm to the board shall not exceed [twelve thousand five hundred dollars ($12,500)] *thirteen thousand five hundred dollars ($13,500)*, and a veteran purchasing the farm may advance the difference between the purchase price of the farm and the cost of the farm to the board, but in no case shall the total purchase price thereof exceed fifteen thousand dollars ($15,000)."

Amendments read.

Roll Call Demanded

Senators Jespersen, DeLap, and Hatfield demanded a roll call.

The roll was called, and the amendments adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, Desmond, Donnelly, Fletcher, Hulse, Jespersen, Judah, Kuchel, Mayo, McBride, McCormack, Parkman, Salsman, Seawell, Shelley, Slater, Sutton, Ward, and Weybret—25.

NOES—Senators Cunningham, DeLap, Dillinger, Dilworth, Dorsey, Gordon, Hatfield, Keating, Mixter, Powers, Quinn, Rich, Swing, and Tenney—14.

Bill ordered printed, engrossed, and to third reading.

Chief Assistant Secretary Cleve V. Taylor at the Desk

Senate Bill No. 50—An act to amend Sections 751, 820 and 987 of the Military and Veterans Code, relating to the rate of interest on veteran farm and home loans, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

Previous Question

Senator Collier moved the previous question.

Motion carried.

The question being on the adoption of the urgency clause.

Urgency clause adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Collier, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Keating, Kuchel, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—36.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—36.

NOES—Senator Collier—1.

Bill ordered transmitted to the Assembly.

Senate Bill No. 59—An act to add Section 10182 to the Education Code, relating to the instruction by correspondence of veterans enrolled in schools or classes of school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Collier, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—36.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 56—An act to amend Section 16 of an act entitled "An act making an appropriation for allocation to cities, counties, and cities and counties to develop a Postwar Public Works Program comprising the preparation of surveys and plans and specifications for proposed

public works and the acquisition of rights of way and sites for major streets, roads, bridges, sewerage and other public facilities, and providing the procedure for making such allocations," approved June 20, 1944, relating to allocations by the State for the cost of acquisition or rights of way and sites for public works projects, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Biggar, Brown, Collier, Crittenden, Cunningham, DeLap, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Kuchel, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—34.
NOES—Senator Keating—1.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Collier, Crittenden, Cunningham, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Kuchel, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—33.
NOES—Senators Breed, DeLap, Desmond, and Keating—4.

Bill ordered transmitted to the Assembly.

Senate Bill No. 13—An act to validate the organization, boundaries, governing officers or boards, acts, proceedings, and bonds of public bodies, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Collier, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—37.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Collier, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—36.
NOES—None.

Bill ordered transmitted to the Assembly.

MOTION TO DISCONTINUE ACTION ON FILE

At 1.21 p.m., Senator Seawell moved that the Senate, at this time, discontinue action on the daily file.

Motion carried.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO 14, January 23, 1946

To the Honorable Members of the Senate
State of California, Sacramento, California.

GENTLEMEN: In my message of January 7th I recommended that the Legislature eliminate the provisions of our Unemployment Insurance Act which now prevent compensation payments to workers whose unemployment results from illness or injury.

This has always seemed illogical to me, because a person stands in even greater need of help when unemployed by reason of illness or disability than when he is well, but unemployed for economic reasons.

This was a reasonable limitation when the Legislature of 1935 established the Unemployment Compensation System because at that time we had no actual experience to indicate what could be done within the financial limits of the Unemployment Insurance Program.

Now, however, we have had eight years of experience, and this experience demonstrates that disability compensation can be made available to workers without affecting the solvency of the fund and without the necessity for an additional contribution from anyone.

An analysis of the Unemployment Insurance Program leads to the conclusion that, not only can this be done, but that it should be done to correct what now, in my opinion, is an injustice to the 2,600,000 California eligible employees who now contribute to the program.

At the present time, our California Unemployment Insurance fund is maintained by contributions from both employers and employees. The employer contributes from 1 per cent to 2.7 per cent of his pay roll, depending upon his merit rating, and the employee contributes a flat 1 per cent of his pay check. In all other States, except three, the employer pays the entire cost of the system.

Since the inauguration of the program in 1936, and up to December 31, 1945, employers have contributed a total of $677,000,000 and employees have contributed $293,000,000.

During the same period total benefits paid out to unemployed workers have not exceeded $289,000,000, which amount is $4,000,000 less than the employees, themselves, have contributed to the fund.

The result has been that an enormous reserve has been built up which (including interest and other income to the fund) now totals $733,000,000.

Solvency studies conducted by the Department of Employment during the last several years show that this Reserve Fund is more than is necessary to meet demands upon the system during the readjustment period even under the worst economic conditions we could reasonably assume.

The most recent analysis discloses that under conditions believed reasonably probable, there will remain on hand at the end of 1948, after payment of all unemployment payments to workers, a reserve in excess of $871,000,000. This estimate assumes that during that period there may be a weekly average peak of 250,000 receiving benefit payments out of a total of 400,000 to 500,000 unemployed in the State.

It is quite clear, therefore, that the workers of California have been contributing to this fund notwithstanding the fact that all the obligations of the program can be fully met by the contributions of employers.

The basic idea on which the Unemployment Insurance Program was based, was that the cost of involuntary unemployment should be borne by the economic system as a whole.

The purposes of the program were two-fold: First, to reduce to a minimum involuntary unemployment, the suffering caused thereby, and the resulting decline of purchasing power, and second, to avoid the necessity for resorting to costly relief programs.

The value of these two objectives inures to the public, and to the business system, itself.

It was largely for these reasons that employers were required to contribute. Their contributions are considered as part of their cost of operation and to a great extent are passed on in the prices of their goods and services. Thus, the costs of the program are widely spread.

Contributions by employees were also originally required in many States, but this feature has since been discontinued in all except four (Rhode Island, New Jersey, Alabama, and California), and of these four States Rhode Island has since June, 1942, used employee contributions for disability benefits.

Employee contributions, when they are required, must be borne entirely by the individual worker, because, unlike the case of the employer, there is no one to whom the worker can pass the burden. His contribution is really in the nature of a gross income tax, as distinguished from what is merely an excise tax as far as the employer is concerned.

Therefore, it is primarily on the ground of financial necessity that the employee's contribution toward the financing of the unemployment insurance can be justified.

Because there is no financial necessity for an employee contribution in California's Unemployment Insurance Program, I have recommended that the 1 per cent employee contribution be used to support a program for the payment of compensation to workers whose unemployment is due to sickness or disability.

Under this program workers would receive in return for their contributions, weekly compensation payments in the same manner as they would under the present law if their unemployment was due to economic causes.

Unemployment resulting from illness or disability is a risk faced by all workers. Sickness or injury of a worker, when nonoccupational in character and therefore not compensable under the Workman's Compensation Act, deprives the worker and his

family of their primary source of income, the pay check, at a time when income is most needed.

When sickness strikes down the breadwinner, living expenses continue just the same, and, in addition, there is often extra expense occasioned by the illness itself.

Even those workers who are fortunate enough to be employed in the more stable types of business and who, therefore, rarely derive any benefit under the present system, are constantly exposed to the risk of loss of income through sickness. But, under the present Unemployment Insurance Law they are not entitled to any benefits for that reason.

Comparatively few California employees enjoy working conditions that include an adequate system of sick leave with pay.

It is not possible for employees to obtain from private insurance companies protection against loss of wages or salary during sickness as adequately or cheaply as that protection could be obtained by diverting their present 1 per cent contribution for the support of a Disability Benefits Program.

The proposed program would provide an initial waiting period of one week, and thereafter would pay benefits only in those cases where the illness or other disability extended for a full week, or longer.

Studies have been made by the Department of Employment with respect to the annual cost of such a program on the basis of rates and durations presently applicable in unemployment compensation.

Based on Rhode Island's actual experience, and with allowance for differences between the Rhode Island Law and the program now under consideration for California, the cost in California would approximate $35,000,000 a year.

This cost could be met entirely out of the 1 per cent employee contribution. Estimates of the Department of Employment, assuming reasonably probable economic conditions, are that worker contributions in California will not fall below $46,950,000 per year during the next three years.

Benefits under the proposed Disability Insurance Program would be first payable about July 1, 1947, and the present employee contribution of 1 per cent of pay rolls would be used, starting July 1, 1946, to finance the system.

The date for first payment of benefits could be advanced to about October 1, 1946, if employee contributions already deposited in the existing reserve during 1944 and 1945 can legally be used for the payment of disability benefits. This question is now under discussion with the Federal Government.

Even with such a transfer of employee contributions from the present Unemployment Insurance Reserve, in order to initiate payments at the earlier date of October 1, 1946, the Department of Employment estimates that there will still remain at the end of 1948 in the regular Unemployment Insurance Reserve not less than $643,000,000—a reserve that will be ample, according to its estimates, for all the needs of unemployment insurance.

No new agency of the State need be created. The existing Department of Employment would administer the program in much the same manner as it administers the regular Unemployment Compensation System.

The entire financing, including administration, would be met from the present 1 per cent employee contributions, and without any new or additional contribution from employers.

This Program of Unemployment Disability Benefits is not health insurance nor is it designed to meet the direct cost of medical care.

Indirectly, however, the program would be of inestimable value to the families of stricken breadwinners by providing the same basic income to which the breadwinner would be entitled if he were out of employment for economic reasons.

It is interesting to note that the medical profession, long in a position to observe the distress of families deprived by illness of the income of the breadwinner, has recognized the importance and need for a Program of Disability Benefits.

The California Medical Association, as recently as January 7, 1945, proposed "An increase in the benefits of the California Unemployment Insurance Act, without increasing pay roll taxes, to provide cash indemnities to wage earners when ill or injured through nonindustrial causes." (California Medical Association Resolution, House of Delegates, Los Angeles, January 7, 1945.)

The American Medical Association "through its House of Delegates has consistently favored such insurance." (Journal of the American Medical Association, December 1, 1945, page 953.)

In my opinion now is the time for action. Unless some action is taken now, the employees of California will be required to continue contributing 1 per cent of their pay checks to the Unemployment Insurance Program without any real need therefor in California as far as the regular Unemployment Insurance Program is concerned, and for which they receive no broader coverage than do the employees in the 44 States where no employee contribution is required.

Finally, may I repeat that this can be done without affecting the solvency of the present Unemployment Insurance Fund and without requiring additional contributions from anyone.

Sincerely,

EARL WARREN, Governor

Message ordered printed in the Journal.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 26

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By HAROLD F. LEWRIGHT, Assistant Clerk

Above bill ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 84
Assembly Bill No. 85

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By HAROLD F. LEWRIGHT, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were read the first time:

Assembly Bill No. 84—An act to amend Section 1039.3 to the Military and Veterans Code, relating to gifts to the Veterans' Home of California.

Referred to Committee on Rules.

Assembly Bill No. 85—An act to add Sections 2620, 2705.1, 2922.5, 4103.5, 4149.3 and 4189 to the Revenue and Taxation Code, relating to penalties for delinquent taxes of persons in the armed forces of the United States, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 23, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Concurrent Resolution No. 8—Relative to the creation of a Joint Special Committee on Federal Tideland Legislation;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the twenty-third day of January, 1946, at 11.30 a.m.

SEAWELL, Chairman

Committee on Finance

SENATE CHAMBER, SACRAMENTO, January 23, 1946

MR. PRESIDENT: Your Committee on Finance, to which were referred:

Senate Bill No. 2
Senate Bill No. 3
Senate Bill No. 5
Senate Bill No. 21
Senate Bill No. 24
Senate Bill No. 27
Assembly Bill No. 16
Assembly Bill No. 17
Assembly Bill No. 35
Assembly Bill No. 61

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 11.

RICH, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, January 23, 1946

MR. PRESIDENT: Your Committee on Finance, to which was referred:

Senate Bill No. 65

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 10; noes 1.

RICH, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, January 23, 1946

MR. PRESIDENT: Your Committee on Finance, to which was referred:

Senate Bill No. 60

Has had the same under consideration, and reports the same back with the recommendation: Be re-referred to Committee on Military and Veterans Affairs for recommendation.

Committee membership 11; committee vote: Ayes 11.

RICH, Chairman

Above reported bill re-referred to Committee on Military and Veterans Affairs.

ADJOURNMENT

At 1.28 p.m., on motion of Senator Seawell, the President declared the Senate adjourned until 11 a.m., Thursday, January 24, 1946.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-SIXTH (FIRST EXTRAORDINARY) SESSION

SENATE DAILY JOURNAL

FOURTEENTH LEGISLATIVE DAY
EIGHTEENTH CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO
Thursday, January 24, 1946

The Senate met at 11 a.m.
Hon. Frederick F. Houser, President of the Senate, presiding.
Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—40.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Dr. Clarence A. Kircher.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senators Tenney and Fletcher, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Col. John C. French of Long Beach, and Col. W. Jefferson Davis of Hollywood.

On request of Senator Deuel, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Earl R. Bevins, Mayor of Chico; E. T. Williamson, Secretary Manager, Chico Chamber of Commerce; Harry Pahl and E. R. Bruce of Chico.

On request of Senator Kuchel, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Dudley Harkleroad of San Francisco.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Major Francis O'Shea of Sacramento, and Gertrude Milligan, teacher, and the following pupils of the eighth grade class of the Arcade School, Sacramento: William Ambrose, Donn Anderson, Joy Ayers, Barbara Baker, Barbara Beerman, Beverly Chapman, Sondra Chapman, Joan Charlesworth, Dorothy Cooney, Robert Corder, Donald Dahl, Katherine Decrow, James Delk, Joan Evans, Paul Flannigan, Grace Green, Zella Halkyard, Barbara Hubert, Gerald Hurst, Barbara Jennings, Robert Merrick, Shirley Neumann, Kenneth Phillipi, Eva Pollard, Ronald Pritchard, Ronald

Schlenker, Richard Renwick, Emil Schneider, Jeannette Schoolcraft, Sharon Schoenbeck, Patricia Self, Marva Sims, Jewel Smedley, Lois Smith, Alfred Sutter, Jack Tatterson, Patti Taylor, Fred Thrasher, and Leta Ziegler.

On request of Senator Fletcher, the privilege of the floor of the Senate Chamber for this day was unanimously extended to David G. Fleet, Vice President of Consolidated Vultee Aircraft Corporation of San Diego.

On request of Senator Shelley, the privilege of the floor of the Senate Chamber for this day was unanimously extended to John F. Fina, George Higgins, Thomas Valerga, Lt. Joseph Allen, U.S.N.R., Alfred Arvonen, and Fred Nerney of San Francisco.

COMMUNICATIONS

The following communication was received, read, and, on motion of Senator Dorsey, ordered printed in the Journal:

JANUARY 21, 1946

Senator Jess R. Dorsey
State Capitol, Sacramento, California

DEAR SENATOR DORSEY: My family and I gratefully acknowledge the recent action of the Senate, taken at your instance, in extending to us the sympathy of its members upon the death of my father and former State Senator, James I. Wagy.

You probably know that after his retirement, his reflections upon his long and pleasant association with the Senate afforded him great satisfaction through his declining years. He would have been gratified, as we are, to know that he was favorably remembered by those whom he knew and respected for so many years.

Please communicate to your colleagues, in some convenient way, our appreciation of their kindness.

Sincerely, PHILIP M. WAGY

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 52

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By HAROLD F. LEWRIGHT, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 18

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

Assembly Bill No. 52—An act to provide for the acquisition of temporary and emergency housing facilities for veterans and families of servicemen by joint action of the State and local agencies, providing for the operation of such facilities, making an appropriation, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 18—Relative to the condition of State funds and estimation of surplus at the end of this biennium, requesting the State Controller and the Director of Finance for information in respect thereto.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 23, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 53
Senate Bill No. 64

And reports the same correctly engrossed.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 24, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 46

And reports the same correctly engrossed.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 24, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 55

And reports the same correctly re-engrossed.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 23, 1946

MR. PRESIDENT: Your Committee on Rules, to which were referred:

Assembly Bill No. 84
Assembly Bill No. 106
Assembly Bill No. 64
Assembly Bill No. 62
Assembly Bill No. 63

Has had the same under consideration, and finds that same are within the purview of the call, and directs that they be referred to the Committee on Military and Veterans Affairs.

Committee membership 5; committee vote: Ayes 3; absent 2.

SEAWELL, Chairman

Above reported bills re-referred to Committee on Military and Veterans Affairs.

SENATE CHAMBER, SACRAMENTO, January 23, 1946

MR. PRESIDENT: Your Committee on Rules, to which were referred:

Proposed Senate Bill No. 87
Proposed Senate Bill No. 90
Proposed Senate Bill No. 89
Assembly Bill No. 95
Assembly Bill No. 54
Assembly Bill No. 82

Has had the same under consideration, and finds that same are within the purview of the call, and directs that they be referred to the Committee on Governmental Efficiency.

Committee membership 5; committee vote: Ayes 3; absent 2.

SEAWELL, Chairman

Above reported Assembly bills re-referred to Committee on Governmental Efficiency.

SENATE CHAMBER, SACRAMENTO, January 23, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 11

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Natural Resources.

Committee membership 5; committee vote: Ayes 3; absent 2.

SEAWELL, Chairman

Above reported resolution re-referred to Committee on Natural Resources.

SENATE CHAMBER, SACRAMENTO, January 23, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Assembly Bill No. 85

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Revenue and Taxation.

Committee membership 5; committee vote: Ayes 3; absent 2.

SEAWELL, Chairman

Above reported bill re-referred to Committee on Revenue and Taxation.

SENATE CHAMBER, SACRAMENTO, January 23, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Assembly Bill No. 7

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Education.

Committee membership 5; committee vote: Ayes 3; absent 2.

SEAWELL, Chairman

Above reported bill re-referred to Committee on Education.

SENATE CHAMBER, SACRAMENTO, January 23, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Proposed Senate Bill No. 92

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Finance.

Committee membership 5; committee vote: Ayes 3; absent 2.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 23, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Proposed Senate Bill No. 91

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Judiciary.

Committee membership 5; committee vote: Ayes 3; absent 2.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 23, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Assembly Bill No. 88

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Public Health and Safety.

Committee membership 5; committee vote: Ayes 3; absent 2.

SEAWELL, Chairman

Above reported bill re-referred to Committee on Public Health and Safety.

SENATE CHAMBER, SACRAMENTO, January 23, 1946

MR. PRESIDENT: Your Committee on Rules, to which were referred:

Proposed Senate Bill No. 88

Assembly Joint Resolution No. 8

Has had the same under consideration, and finds that same are within the purview of the call, and directs that they be referred to the Committee on Social Welfare.

Committee membership 5; committee vote: Ayes 3; absent 2.

SEAWELL, Chairman

Above reported Assembly resolution re-referred to Committee on Social Welfare.

Committee on Natural Resources

SENATE CHAMBER, SACRAMENTO, January 22, 1946

MR. PRESIDENT: Your Committee on Natural Resources, to which were referred:

Senate Concurrent Resolution No. 13

Senate Concurrent Resolution No. 14

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 9; committee vote: Ayes 8; absent 1.

FLETCHER, Chairman

Above reported resolutions ordered to third reading.

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 23, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 13

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 3; absent 2.

SEAWELL, Chairman

Above reported resolution ordered to third reading.

Committee on Finance

SENATE CHAMBER, SACRAMENTO, January 23, 1946

MR. PRESIDENT: Your Committee on Finance, to which was referred:

Senate Bill No. 45

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 11; committee vote: Ayes 10; noes 1.

RICH, Chairman

Above reported bill ordered to second reading.

Committee on Judiciary

SENATE CHAMBER, SACRAMENTO, January 23, 1946

MR. PRESIDENT: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 4

Assembly Bill No. 8

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 12; committee vote: Ayes 12.

KEATING, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, January 23, 1946

MR. PRESIDENT: Your Committee on Judiciary, to which was referred:

Senate Bill No. 79

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 12; committee vote: Ayes 12.

KEATING, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, January 23, 1946

MR. PRESIDENT: Your Committee on Judiciary, to which was referred:

Senate Bill No. 15

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 12; committee vote: Ayes 11; noes 1.

KEATING, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, January 23, 1946

MR. PRESIDENT: Your Committee on Judiciary, to which was referred:

Senate Constitutional Amendment No. 2

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

Committee membership 12; committee vote: Ayes 12.

KEATING, Chairman

Above reported resolution ordered to second reading.

COMMUNICATIONS

The following communication was received, read, and, on motion of Senator Fletcher, ordered printed in the Journal:

STATE OF CALIFORNIA
CALIFORNIA COMMISSION ON UNIFORM STATE LAWS

RESOLUTION OF THE CALIFORNIA COMMISSION ON UNIFORM STATE LAWS

The California Commission on Uniform State Laws, meeting in San Francisco, California, on January 22, 1946, at which Commissioners Max Radin, Chairman-Commissioner W. Jefferson Davis, and Commissioner and Secretary Martin J. Dinkelspiel, were present, adopted the following resolution:

We endorse the principles in regard to regulation of aviation adopted by the American Bar Association at its 1943 meeting, which are substantially as follows:

(a) Maximum development of the air commerce of the Nation is in the public interest;

(b) Uniformity of law and regulation of such air commerce, including its economic, and safety regulation, control and the certification of aircraft and airmen, is necessary to bring about its maximum development;

(c) Such uniform regulation and control can only be accomplished through Federal legislation.

The commission wishes further to recommend that no law be passed by the Legislature regulating aviation, except in conformity with Federal legislation and acts approved by the National Conference of Commissioners on Uniform State Laws.

In carrying out the above principles, the commission is of the opinion that it is desirable that a State Aviation Commission be created by the State Legislature.

ATTEST:

MARTIN J. DINKELSPIEL, Secretary

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following bills were introduced, and read the first time:

Senate Bill No. 87: By Senators Rich and DeLap—An act providing for school district public works and making an appropriation therefor, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 88: By Senators Dilworth, Quinn, Biggar, Mixter, and DeLap—An act to add Sections 164.5 and 206.7 to the Welfare and Institutions Code, relating to reports concerning veterans in public institutions.

Referred to Committee on Social Welfare.

Senate Bill No. 89: By Senator Salsman—An act relating to airports, creating a Division of Airports in the Department of Public Works, with a Chief of the Division of Airports therein, prescribing his powers and duties with respect to all airports in this State, amending Section 14005 of the Government Code, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 90: By Senators Hulse, Swing, Hatfield, Gordon, Carter, Powers, Collier, Brown, Sutton, Jespersen, Quinn, Dilworth, Biggar, Tenney, Weybret, Dorsey, Cunningham, Donnelly, Judah, Burns, Fletcher, Shelley, Mayo, McBride, Keating, Slater, and Parkman—An act making an appropriation for allocation to cities, counties, and cities and counties for the prevention or alleviation of unemployment through the construction of public works in which there is a State interest, and providing the procedure for making such allocations.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 91: By Senator Quinn—An act to add Section 28 to the Civil Code, relating to contract and property rights of persons under the age of 21 years.

Referred to Committee on Judiciary.

Senate Bill No. 92: By Senator Quinn—An act making an appropriation to the Department of Education to be expended for the performance of the powers and duties of the department relating to veterans, to take effect immediately.

Referred to Committee on Finance.

President Pro Tempore of the Senate Presiding

At 11.18 a.m., Hon. Jerrold L. Seawell, President pro tempore of the Senate, presiding.

THE FOLLOWING PROPOSED BILLS WERE READ, AND REFERRED TO COMMITTEE ON RULES

By Senator Quinn—An act to amend the title and Section 2 of, and to add Section 1.5 to, an act entitled "An act to provide for refunding or crediting to veterans of World War I certain payments and interest thereon made pursuant to contracts for the purchase of farms and homes under the Veterans Farm and Home Purchase Act and Chapter 3 of Division 4 of the Military and Veterans Code;" approved July 18, 1945, relating to refunding or crediting certain payments and interest made pursuant to contracts for the purchase of farms and homes by veterans.

By Senator Dilworth—An act to amend the title and Section 2 of, and to add Section 1.5 to, an act entitled "An act to provide for refunding or crediting to veterans of World War I certain payments and interest thereon made pursuant to contracts for the purchase of farms and homes under the Veterans Farm and Home Purchase Act and Chapter 3 of Division 4 of the Military and Veterans Code;" approved July 18, 1945, relating to refunding or crediting certain payments and interest made pursuant to contracts for the purchase of farms and homes by veterans.

RESOLUTIONS

The following resolution was offered:

By Senators Fletcher and Hulse:

Senate Resolution No. 19

Relative to the inclusion of the route between San Diego and El Centro, California, in the National System of Interstate Highways

WHEREAS, The Federal-Aid Highway Act of 1944 provides in Section 7 thereof that there shall be designated within the continental United States a National System of Interstate Highways so located as to connect by routes, as direct as practicable, the principal metropolitan areas, cities and industrial centers, to serve the National defense, and to connect at suitable border points with routes of continental importance in the Dominion of Canada and the Republic of Mexico, which routes are to be selected by joint action of the State Highway Departments of each State and the adjoining States; and

WHEREAS, The route between San Diego and El Centro serves the rapidly growing manufacturing center and seaport area of metropolitan San Diego and also the rich agricultural farm land of the Imperial Valley, as well as providing a route substantially parallel to the border of the State of California and the Republic of Mexico, connecting with many International Highways extending into the Republic of Mexico; and

WHEREAS, The inclusion of the route between San Diego and El Centro in the National System of Interstate Highways will provide an interstate roadway from the Pacific Ocean at San Diego to El Centro and from that city to the City of Yuma in Arizona and eventually eastward, providing a connecting chain between the southernmost portions of two of the westerly States of the United States as well as a means of access to the highways leading from those States into the Republic of Mexico, contributing both to the economic welfare of the Nation and to the National defense; and

WHEREAS, The State Division of Highways has recommended to the Public Roads Administration and to the Commissioner of Public Roads that the route between San Diego and El Centro be included in the National System of Interstate Highways; now, therefore, be it

Resolved by the Senate of the State of California, That the Commissioner of Public Roads is hereby respectfully requested to provide for the inclusion of the route between San Diego and El Centro in the National System of Interstate Highways; and be it further

Resolved, That the Secretary of the Senate be and is hereby directed to transmit copies of this resolution to the Commissioner of Public Roads, the State Highway Engineer, the American Association of State Highway Officials meeting January 28th in Oklahoma City and to Mr. T. H. MacDonald, Chief Engineer of the Bureau of Public Roads.

Resolution read, and referred to Committee on Rules.

CONSIDERATION OF DAILY FILE

SECOND READING OF SENATE BILLS

Senate Bill No. 18—An act to amend Sections 18973, 19057, 19533, and 19534 of, and to add Sections 19201 and 19705 to, the Government Code, relating to veterans preference in State civil service.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "Sections 19201 and", and insert "Section".

Amendment No. 2

On page 1 of said bill, strike out lines 8 to 24, inclusive; and on page 2, strike out lines 1 to 16, inclusive, and insert

"(a) Disabled veterans, 15 points.

(b) All other veterans and widows of veterans, 10 points.

(c) In promotional examinations, five points, irrespective of physical condition.

SEC. 2. Section 19057 of said code is amended to read:".

Amendment No. 3

On page 2 of said bill, strike out lines 37 to 41, inclusive, and insert "SEC. 3. Section 19533 of said code is amended".

Amendment No. 4

On page 3, line 19, of said bill, after "service", insert "performing work which would fall in the series of classes related to the employee's present class".

Amendment No. 5

On page 3, line 47, of said bill, strike out "SEC. 5", and insert "SEC. 4".

Amendment No. 6

On page 4, line 5, of said bill, strike out "SEC. 6", and insert "SEC. 5".

Amendment No. 7

On page 4 of said bill, after line 32, insert

"The provisions of this section shall not apply to persons to whom a preference is permitted under Section 18972, nor to any investigation into the qualifications of such disabled veteran for the position in the State civil service to which he has been appointed."

Amendments read and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

Senate Bill No. 49—An act providing for research and its adaptation to the production, processing, distribution and utilization of agricultural products grown in the State of California and making an appropriation therefor, declaring the urgency of this act, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "two million dollars ($2,000,000)", and insert "two million three hundred thousand dollars ($2,300,000)".

Amendment No. 2

On page 1, lines 5 and 6, of said bill, strike out "during the Ninety-seventh and Ninety-eighth Fiscal Years".

Amendment No. 3

On page 1, line 12, of the printed bill, after the period, insert "Of the sum of money hereby appropriated, 87 per cent is expendable only during the Ninety-seventh

and Ninety-eighth Fiscal Years; 13 per cent, if and when expended, is available for expenditure without regard to fiscal years, exempt from the provisions of Section 16304 of the Government Code, and for no purpose other than the acquisition or construction of land, buildings and equipment for expansion of the agricultural research facilities of the University Meloland Field Station in Imperial County."

Amendments read and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

Senate Bill No. 2—An act to add Section 10.5 to the County Highway Aid Act of 1945 (Chapters 938 and 952 of the Statutes of 1945), relating to the expenditure of moneys for construction of highways, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 3—An act to provide for the acquisition, establishment, and operation of additional temporary hospital facilities for mental patients in State institutions, making an appropriation therefor, and declaring the urgency of the act, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 5—An act making an appropriation for the acquisition of land for State forests.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 21—An act making an appropriation to the Veterans' Welfare Board for the purpose of providing educational assistance for veterans.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 24—An act to authorize the Department of Finance to acquire surplus property from the United States for the purpose of furnishing housing facilities for veterans attending universities and colleges and making an appropriation.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 27—An act making an appropriation for the construction of a women's dormitory at the Veterans' Home of California.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 65—An act making an appropriation to the Department of Mental Hygiene for additional out-patient clinics, and declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 53—An act to amend Section 9552 of the Business and Professions Code, relating to owners and managers of clothes cleaning establishments, of cleaning and dyeing shops, and spotting, sponging and pressing establishments, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 65—An act to add Sections 20602.2 and 20602.7 to the Government Code, relating to veterans, and providing for their rights and privileges as members of the State Employees' Retirement System, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 73—An act to amend Section 20894.5 of the Government Code, relating to the State Employees' Retirement System, and providing for contributions for persons in the military service.

Bill read second time, and ordered to third reading.

Assembly Bill No. 18—An act to repeal Section 2 of Chapter 1235, Statutes of 1945, relating to the period during which provisions of the Agricultural Code governing disposal of garbage from vessels and aircrafts shall be effective.

Bill read second time, and ordered to third reading.

Assembly Bill No. 16—An act making an additional appropriation for support of the State Personnel Board in the Ninety-seventh and Ninety-eighth Fiscal Years, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 17—An act making an appropriation to the Department of Finance to cover additional cost of construction, improvements, and equipment, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 35—An act to provide for a Medical School and Center at the University of California at Los Angeles, and to make an appropriation therefor.

Bill read second time, and ordered to third reading.

Assembly Bill No. 61—An act making an appropriation for the Medical Center of the University of California in San Francisco.

Bill read second time, and ordered to third reading.

THIRD READING OF SENATE BILLS

Senate Bill No. 64—An act to add Section 14495.1 to the Education Code, relating to the contributions of veterans, to funds of the State Teachers Retirement System, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, and Ward—37.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hulse, Jespersen, Judah, Keating, Kuchel, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, and Ward—36.
NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 55—An act to amend Sections 813, 815, 986.3, and 986.5 of the Military and Veterans Code, relating to the purchase of farms and homes by veterans.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Tenney, and Ward—35.

NOES—None.

Bill ordered transmitted to the Assembly.

President of the Senate Presiding

At 11.33 a.m., Hon. Frederick F. Houser, President of the Senate, presiding.

Senate Bill No. 53—An act to amend Section 23 of the "District Investigation Act of 1933," relating to special tax and assessment districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Jespersen, Judah, Keating, Kuchel, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—39.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 46—An act to amend Sections 19601, 19608, 19613, and 19616 of, and to add Section 19613.5 to, the Education Code, relating to child care centers, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Senator Hatfield moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 23, of the printed bill, as amended on January 23, 1946, strike out "or six months after"; and strike out all of lines 24, 25, and 26.

Amendment read and adopted.

Further Amendments to Senate Bill No. 46

Motion to Amend

Senator Hulse moved the adoption of the following amendments:

Amendment No. 1

On page 2 of the printed bill, as amended, between lines 26 and 27, insert

"SEC. 6. Section 19617 is added to said code to read:

19617. No new child care centers may be established after the effective date of this section."

Amendment No. 2

On page 2, line 27, of said bill, strike out "6", and insert "7".

Amendments read and adopted.

Bill ordered printed, re-engrossed, and to third reading.

THIRD READING OF ASSEMBLY BILLS

Assembly Joint Resolution No. 5—Relative to the modification of the application of price controls to retailers in the sale of lumber.

Resolution read, and presented by Senator Hulse.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hulse, Judah, Keating, Kuchel, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—36.

NOES—None.

Resolution ordered transmitted to the Assembly.

Assembly Joint Resolution No. 7—Relative to memorializing Congress to provide a wage readjustment for Postal Service employees.

Resolution read, and presented by Senator Tenney.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—40.

NOES—None.

Resolution ordered transmitted to the Assembly.

Assembly Joint Resolution No. 4—Relative to memorializing Congress to allocate housing appropriations upon the basis of need and of present population.

Resolution read, and presented by Senator Tenney.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Crittenden, Cunningham, DeLap, Dillinger, Dilworth, Fletcher, Gordon, Hulse, Jespersen, Keating, Kuchel, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—32.

NOES—Senators Carter, Collier, Donnelly, and Judah—4.

Motion to Reconsider

Senator Donnelly moved to reconsider the vote whereby Assembly Joint Resolution No. 4 was adopted.

Postponement of Reconsideration

On motion of Senator Donnelly, the further consideration of the motion to reconsider the vote whereby Assembly Joint Resolution No. 4 was adopted, was continued until the next legislative day.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 12

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

Above bill ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 15
Assembly Bill No. 41
Assembly Bill No. 42
Assembly Bill No. 80
Assembly Bill No. 100
Assembly Bill No. 101
Assembly Bill No. 108
Assembly Bill No. 113

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were read the first time:

Assembly Bill No. 15—An act making an appropriation to the Department of Industrial Relations for apprenticeship training, to take effect immediately.

Referred to Committee on Rules.

Assembly Bill No. 41—An act making an appropriation for construction, improvements, repairs and equipment of State parks, Division of Beaches and Parks, Department of Natural Resources, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Rules.

Assembly Bill No. 42—An act making an appropriation for construction, improvements, repairs and equipment of State beaches, Division of Beaches and Parks, Department of Natural Resources, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Rules.

Assembly Bill No. 80—An act to make an appropriation to the California Polytechnic School for the production of herbs and plants for applied research in the production of resins, gums, and oils for medicinal and other purposes, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Rules.

Assembly Bill No. 100—An act making an additional appropriation for support of the Department of Motor Vehicles for the Ninety-seventh and Ninety-eighth Fiscal Years, to take effect immediately.

Referred to Committee on Rules.

Assembly Bill No. 101—An act reappropriating the appropriation made by Item 187.2 of the "Budget Act of 1945," and making an additional appropriation for support of the Department of Motor Vehicles in the Ninety-seventh and Ninety-eighth Fiscal Years, to take effect immediately.

Referred to Committee on Rules.

Assembly Bill No. 108—An act to amend Section 3 of an act entitled "An act authorizing any county in the State of California to aid any city operating under a freeholders' charter, or otherwise, in the State of California, in the acquisition of real or personal property for the purpose of constructing and completing improvements thereon necessary and convenient to the maintenance of airports, the flying and landing of aircraft and the maintenance of same, to take effect immediately," approved May 13, 1941, relating to publicly owned airports, declaring the urgency hereof, to take effect immediately.

Referred to Committee on Rules.

Assembly Bill No. 113—An act making an additional appropriation for support of the Department of Motor Vehicles in the Ninety-seventh and Ninety-eighth Fiscal Years, to take effect immediately.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 24, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Senate Resolution No. 19

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

REQUEST FOR UNANIMOUS CONSENT

Senator Fletcher asked for, and was granted, unanimous consent to take up Senate Resolution No. 19, at this time, for consideration.

CONSIDERATION OF SENATE RESOLUTION NO. 19

Senate Resolution No. 19

Relative to the inclusion of the route between San Diego and El Centro, California in the National System of Interstate Highways

WHEREAS, The Federal-Aid Highway Act of 1944 provides in Section 7 thereof that there shall be designated within the continental United States a National System of Interstate Highways so located as to connect by routes, as direct as practicable, the principal metropolitan areas, cities and industrial centers, to serve the National defense, and to connect at suitable border points with routes of continental importance in the Dominion of Canada and the Republic of Mexico, which routes are to be selected by joint action of the State Highway Departments of each State and the adjoining States; and

WHEREAS, The route between San Diego and El Centro serves the rapidly growing manufacturing center and seaport area of metropolitan San Diego and also the rich agricultural farm land of the Imperial Valley, as well as providing a route substantially parallel to the border of the State of California and the Republic of Mexico, connecting with many international highways extending into the Republic of Mexico; and

WHEREAS, The inclusion of the route between San Diego and El Centro in the National System of Interstate Highways will provide an interstate roadway from the Pacific Ocean at San Diego to El Centro and from that city to the City of Yuma in Arizona and eventually eastward, providing a connecting chain between the southernmost portions of two of the westerly States of the United States as well as a means of access to the highways leading from those States into the Republic of Mexico, contributing both to the economic welfare of the Nation and to the National defense; and

WHEREAS, The State Division of Highways has recommended to the Public Roads Administration and to the Commissioner of Public Roads that the route between San Diego and El Centro be included in the National System of Interstate Highways; now, therefore, be it

Resolved by the Senate of the State of California, That the Commissioner of Public Roads is hereby respectfully requested to provide for the inclusion of the route between San Diego and El Centro in the National System of Interstate Highways; and be it further

Resolved, That the Secretary of the Senate be and is hereby directed to transmit copies of this resolution to the Commissioner of Public Roads, the State Highway Engineer, the American Association of State Highway Officials meeting January 28th in Oklahoma City and to Mr. T. H. MacDonald, Chief Engineer of the Bureau of Public Roads.

Resolution read, and adopted.

REPORTS OF STANDING COMMITTEES

Committee on Social Welfare

SENATE CHAMBER, SACRAMENTO, January 24, 1946

MR. PRESIDENT: Your Committee on Social Welfare, to which was referred:

Senate Bill No. 40

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 7; noes 3; absent 1.

MAYO, Chairman

Above reported bill ordered to second reading.

Committee on Education

SENATE CHAMBER, SACRAMENTO, January 24, 1946

MR. PRESIDENT: Your Committee on Education, to which was referred:

Senate Concurrent Resolution No. 12

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 9; committee vote: Ayes 8; noes 1.

SLATER, Chairman

Above reported resolution ordered to third reading.

SENATE CHAMBER, SACRAMENTO, January 24, 1946

MR. PRESIDENT: Your Committee on Education, to which was referred:

Assembly Bill No. 56

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 8; absent 1.

SLATER, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, January 24, 1946

MR. PRESIDENT: Your Committee on Education, to which were referred:

Senate Bill No. 83 Senate Bill No. 86

Senate Bill No. 85

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 9; committee vote: Ayes 6; absent 3.

SLATER, Chairman

Above reported bills re-referred to Committee on Finance.

Committee on Local Government

SENATE CHAMBER, SACRAMENTO, January 21, 1946

MR. PRESIDENT: Your Committee on Local Government, to which was referred:

Senate Bill No. 61

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 6; absent 3.

CUNNINGHAM, Chairman

Above reported bill ordered to second reading.

RESOLUTIONS

The following resolution was offered:

By Senator Mayo:

Senate Resolution No. 20

Relative to the ninety-fifth anniversary celebration of the Columbia Volunteer Fire Department

On the evening of January 25, 1946, the historic mining town Columbia will echo the gaiety of a day past when its citizens and their distinguished guests for the occasion gather in festive spirit 'round banquet boards to do honor to its volunteer fire department which through 95 years, from bucket brigade to modern fire engine, has been on duty day and night to defend the wooden structure town from the ravages of flame. So well have these volunteers done their part that Columbia is today the best preserved of the old towns born of the Gold Rush and immortalized in the glowing history of the Mother Lode; now, therefore, be it

Resolved by the Senate of the State of California, That this Senate hereby sends cordial greetings to the citizens of Columbia as they gather to view again the old leather fire helmets, brass fire trumpets, Currier and Ives prints, and other priceless relics of a gala past; and the Members of this Senate extend to the Fireman and the Ladies Auxiliary congratulations and best wishes for a successful continuation of the fine work of their organizations; and be it further

Resolved, That suitable copies of this resolution be transmitted by the Secretary of the Senate to Forrest Schoettgen, President of the Columbia Fire Department, and to Mrs. Lucille Red, President of the Ladies Auxiliary of the Columbia Volunteer Fire Department.

Resolution read, and adopted.

INTRODUCTION, FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was offered:

Senate Concurrent Resolution No. 15: By Senator Rich—Relative to approving certain amendments to the charter of the City of Marysville, State of California, ratified by the electors of said city at a general municipal election held therein on the twenty-first day of January, 1946.

Request for Unanimous Consent

Senator Rich asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 15, at this time, for consideration.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 15

Senate Concurrent Resolution No. 15—Relative to approving certain amendments to the charter of the City of Marysville, State of California, ratified by the electors of said city at a general municipal election held therein on the twenty-first day of January, 1946.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—38.

NOES—None.

Resolution ordered transmitted to the Assembly.

REQUEST FOR UNANIMOUS CONSENT

Senator Burns asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 13, at this time, for consideration.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 13

Assembly Concurrent Resolution No. 13—Relative to the March of Dimes and urging participation therein.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, DeLap, Desmond, Dillinger, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—35.

NOES—None.

Resolution ordered transmitted to the Assembly.

ADJOURNMENT

At 12.37 p.m., on motion of Senator Seawell, the President declared the Senate adjourned until 10.30 a.m., Friday, January 25, 1946.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-SIXTH (FIRST EXTRAORDINARY) SESSION

SENATE DAILY JOURNAL

FIFTEENTH LEGISLATIVE DAY
NINETEENTH CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO
Friday, January 25, 1946

The Senate met at 10.30 a.m.
Hon. Frederick F. Houser, President of the Senate, presiding.
Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—39.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Dr. Clarence A. Kircher.

LEAVES OF ABSENCE FOR THE DAY

The following Senator was granted leave of absence for the day:

Senator Mayo, on motion of Senator Deuel, due to illness in family.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Shelley, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Vincent Folan of San Francisco.

On request of Senator Salsman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Mulkey, teacher, and the following students of the Fremont High School of Sunnyvale: Caroline Bastemeyer, Helen Hubert, Marian Gilovich, Josephine Pasquali, Shirley Ann Meyer, Annabelle Galyean, Eugenia Velazquez, Lorraine Nelsen, Eleanor Abrew, Audrey Hachen, Betty Spolyar, Gene Ravizza, Anton Jelesko, Virginia Machado, Rocco Furia, Art Reed, Marie Schoppe, Roberta Rogers, Frank Vernon, Sylvia Swanson, Jim Johnson, and Redonia Wheeler.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Lt. Col. Brown of Long Beach, Capt. John Graeser of Sacramento, and Sister Mary Celestine, principal, and the following students of the St. Joseph Academy of Sacramento: Anne O'Keefe, Dolores O'Connor, Goldy

Ward, Aileen Carissimi, Agnes White, Virginia Tufts, Anna Meyers, Betty Meyers, Marie Jurach, Shirley Wadman, Betty Armistead, Mary Ponthana, Beverly Fischer, Eleanor Mikulin, Rose Steinbacker, Helen Bosnich, Della Reiser, Kathleen King, Antoinette Ferro, Fern Creighton, Mary Grassi, Dorris Knicich, Jane Fernandez, Hope Ortez, Mary Huerta, Mary Franda, Geneva Hall, Pat Kerins, Dorothy Kinter, Diana Bonini, and Pat Wilson.

On request of Senator Dilworth, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. James L. McDowell of Riverside.

On request of Senator Seawell, the privilege of the floor of the Senate Chamber for this day was unanimously extended to W. C. Green, J. P. Millott, L. M. Johnston, and James Fisher of Vallejo.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. John Kingsley, President, Hollywood Chamber of Commerce; Councilman and Mrs. Lloyd Davies of Hollywood; and Sidney A. Cherniss of Los Angeles.

COMMUNICATIONS

The following communication was received, read, and ordered printed in the Journal:

INTERNATIONAL BROTHERHOOD OF BOILERMAKERS
IRON SHIP BUILDERS, AND HELPERS OF AMERICA
SHIPFITTERS AND HELPERS LOCAL No. 9, January 23, 1946

Honorable Frederick F. Houser, Lieutenant Governor
State of California, Sacramento, California

MY DEAR MR. HOUSER: The Bay Cities Metal Trades Council, its affiliated A. F. of L. unions, and the Committee on Unemployment Insurance wish to offer you their sincere gratitude for the opportunity to be able to tell our story to the Members of the Senate of the State of California.

The 110,000 members of these organizations are satisfied that we have a fine body of men who make our laws and who are democratic enough to receive such a group as had arrived in Sacramento to tell them that these same laws are not being administered correctly.

As a body of labor men, we wish to thank you and all the Members of the Senate for affording us the time and giving their indulgence in listening to our story, and have no doubt that this august body will do all in its power to rectify any errors in the administering of the laws by anyone who is so appointed to do so.

I personally wish to thank you for your fine reception of myself and my group, and wish you to convey the same to the floor.

Respectfully yours,

JOE ROBERTS,
Chairman of the Committee on Unemployment Insurance for the Bay Cities Metal Trades Council

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 22

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By HAROLD F. LEWBIGHT, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following resolution was read:

Assembly Concurrent Resolution No. 22—Requesting the State Board of Harbor Commissioners for San Francisco Harbor to investigate and report to the Legislature upon a proposed world trade center.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 25, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 46

And reports the same correctly engrossed.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 24, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 2
Senate Bill No. 3
Senate Bill No. 5
Senate Bill No. 21
Senate Bill No. 24
Senate Bill No. 27
Senate Bill No. 65
Senate Concurrent Resolution No. 12
Senate Concurrent Resolution No. 13
Senate Concurrent Resolution No. 14

And reports the same correctly engrossed.

SEAWELL, Chairman

Committee on Governmental Efficiency

SENATE CHAMBER, SACRAMENTO, January 25, 1946

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 90

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Finance.

Committee membership 11; committee vote: Ayes 11.

SWING, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, January 24, 1946

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred:

Assembly Bill No. 60

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Finance.

Committee membership 11; committee vote: Ayes 9; noes 2.

SWING, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, January 25, 1946

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred:

Assembly Bill No. 82

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 11; committee vote: Ayes 11.

SWING, Chairman

Above reported bill ordered to second reading.

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 24, 1946

MR. PRESIDENT: Your Committee on Rules, to which were referred:

Proposed Senate Bill No. 93
Proposed Senate Bill No. 94

Has had the same under consideration, and finds that same are within the purview of the call, and directs that they be referred to the Committee on Military and Veterans Affairs.

Committee membership 5; committee vote: Ayes 3; absent 2.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 24, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Assembly Bill No. 80

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Agriculture.

Committee membership 5; committee vote: Ayes 3; absent 2.

SEAWELL, Chairman

Above reported bill re-referred to Committee on Agriculture.

SENATE CHAMBER, SACRAMENTO, January 24, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Assembly Bill No. 15

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Finance.

Committee membership 5; committee vote: Ayes 3; absent 2.

SEAWELL, Chairman

Above reported bill re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, January 24, 1946

MR. PRESIDENT: Your Committee on Rules, to which were referred:

Assembly Bill No. 100
Assembly Bill No. 101
Assembly Bill No. 113

Has had the same under consideration, and finds that same are within the purview of the call, and directs that they be referred to the Committee on Transportation.

Committee membership 5; committee vote: Ayes 3; absent 2

SEAWELL, Chairman

Above reported bills re-referred to Committee on Transportation.

SENATE CHAMBER, SACRAMENTO, January 24, 1946

MR. PRESIDENT: Your Committee on Rules, to which were referred:

Assembly Bill No. 41
Assembly Bill No. 42

Has had the same under consideration, and finds that same are within the purview of the call, and directs that they be referred to the Committee on Natural Resources.

Committee membership 5; committee vote: Ayes 3; absent 2

SEAWELL, Chairman

Above reported bills re-referred to Committee on Natural Resources.

SENATE CHAMBER, SACRAMENTO, January 24, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Assembly Bill No. 108

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Local Government.

Committee membership 5; committee vote: Ayes 3; absent 2.

SEAWELL, Chairman

Above reported bill re-referred to Committee on Local Government.

SENATE CHAMBER, SACRAMENTO, January 24, 1946

MR. PRESIDENT: Your Committee on Rules, to which were referred:

Assembly Bill No. 52
Assembly Concurrent Resolution No. 18

Has had the same under consideration, and finds that same are within the purview of the call, and directs that they be referred to the Committee on Governmental Efficiency.

Committee membership 5; committee vote: Ayes 3; absent 2.

SEAWELL, Chairman

Above reported bills re-referred to Committee on Governmental Efficiency.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following bills were introduced, and read the first time:

Senate Bill No. 93: By Senator Quinn—An act to amend the title and Section 2 of, and to add Section 1.5 to, an act entitled "An act to provide for refunding or crediting to veterans of World War I certain payments and interest thereon made pursuant to contracts for the purchase of farms and homes under the Veterans Farm and Home Purchase Act and Chapter 3 of Division 4 of the Military and Veterans Code," approved July 18, 1945, relating to refunding or crediting certain payments and interest made pursuant to contracts for the purchase of farms and homes by veterans.

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 94: By Senator Dilworth—An act to amend the title and Section 2 of, and to add Section 1.5 to, an act entitled "An act to provide for refunding or crediting to veterans of World War I certain payments and interest thereon made pursuant to contracts for the purchase of farms and homes under the Veterans Farm and Home Purchase Act and Chapter 3 of Division 4 of the Military and Veterans Code," approved July 18, 1945, relating to refunding or crediting certain payments and interest made pursuant to contracts for the purchase of farms and homes by veterans.

Referred to Committee on Military and Veterans Affairs.

THE FOLLOWING PROPOSED BILLS WERE READ, AND REFERRED TO COMMITTEE ON RULES

By Senators Swing, Brown, Dilworth, Gordon, Hulse, and Carter—An act to provide for a program of postwar acquisition, construction, improvement and equipment of property and facilities for the protection, propagation and preservation of fish and game, and to make an appropriation to carry out such program.

By Senator Parkman—An act providing for the supervision and regulation of the transportation of persons and property for compensation by aircraft between places within the State of California; defining air common carriers and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act.

By Senators Dilworth, Dorsey, Hatfield, Tenney, and Quinn—Relative to Federal legislation granting terminal furloughs and leaves to enlisted personnel of the armed forces of the United States.

CONSIDERATION OF DAILY FILE
SECOND READING OF SENATE BILLS

Senate Bill No. 45—An act making an appropriation for the support of child care centers, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "_____ dollars ($_____)", and insert "three million five hundred thousand dollars ($3,500,000)".

Amendment No. 2

On page 1, line 11, of the printed bill, after "Code", and before the period, insert "and to the governing authorities of State educational institutions maintaining child care centers".

Amendment No. 3

On page 2 of the printed bill, between lines 4 and 5, insert

"SEC. 4.5. No money appropriated by this act shall be expended for the care of any child unless prior to the admission of such child the parent or person having custody thereof shall have shown to the satisfaction of the governing board, in conformity with rules and regulations established by the Superintendent of Public Instruction, that such parent or person having custody of the child is financially unable to provide otherwise for the care of the child."

Amendments read and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 79—An act to add Section 1247.5 to the Code of Civil Procedure, relating to eminent domain.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 2, line 20, of the printed bill, strike out "may", and insert "shall".

Amendment read and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 15—An act amending Section 634 of the Welfare and Institutions Code, relating to the appointment, selection, and removal, and term of office of probation officers, assistant probation officers, deputy probation officers and of superintendents, matrons and other employees of detention homes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In lines 2 and 3 of the title of the printed bill, strike out ", selection, and removal, and term", and insert "and tenure".

Amendment No. 2

On page 1, line 4, of said bill, after "officers," insert "assistant probation officers, deputy probation officers, and the superintendent, matron, and other employees of the juvenile hall,".

Amendment No. 3

On page 1, line 6, of said bill, after "established", insert "or hereafter establish".

Amendment No. 4

On page 1, lines 7 and 8, of said bill, strike out "nomination, selection, appointment and removal," and insert "appointment".

Amendment No. 5

On page 1, line 9, of said bill, after "probation officers," and before "deputy", insert "assistant probation officers,".

Amendment No. 6

On page 1, line 10, of said bill, strike out "detention home", and insert "juvenile hall".

Amendments read and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by amending Section 14 of Article I thereof, relating to the rights of private property.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 2, line 19, of the printed measure, after the period, insert "The Legislature may provide procedure governing the advancing to any owner of the property sought to be condemned of all or any portion of the amount so deposited."

Amendment read and adopted.

Resolution ordered printed, engrossed, and to third reading.

Senate Bill No. 40—An act to add Section 18 and Article 10, comprising Sections 150 to 404 to, and to amend Sections 19, 20, and 40 of, the Unemployment Insurance Act, to establish a System of Unemployment Compensation Disability Benefit Payments within the Unemployment Compensation System.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 61—An act to amend Section 2302 of the Health and Safety Code, relating to the maximum rate of tax for mosquito abatement districts, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

Amendment No. 1

In line 1 of the title of the printed bill, after "of", insert ", and to add Section 2302.1 to,".

Amendment No. 2

On page 1, line 13, of said bill, strike out "The maximum"; strike out lines 14, 15, and 16; and in line 17, strike out "SEC. 2.", and insert

"SEC. 2. Section 2302.1 is added to said code to read:

2302.1. If the rate thus produced is fifteen cents ($0.15) or less on each one hundred dollars ($100) of taxable property of the district in the county the county board of supervisors shall levy the tax at the rate thus produced. If the rate thus produced exceeds 15 cents ($0.15), the board of supervisors may require of the district such information as will enable it to determine the necessity of the expenditures contemplated by the estimate, and, in its discretion, and after a finding of necessity therefor, levy the tax at the rate thus produced or at such lower rate as it finds will produce the amount required to meet the expenditures found by it to be necessary; but if it finds that such necessity does not exist, it shall levy the tax at the rate of fifteen cents ($0.15) or less on each one hundred dollars ($100) of taxable property in the district.

If the district is in more than one county, the board of supervisors of any county in which the district lies shall not levy a tax at a rate in excess of fifteen cents ($0.15), unless the boards of supervisors of the other counties in which the district lies levy the tax at the same rate. If the boards of supervisors can not agree on a rate to be levied in excess of fifteen cents ($0.15), the rate of tax shall not exceed fifteen cents ($0.15). The maximum rate of the tax shall not be greater than forty cents ($0.40) on each one hundred dollars ($100) of taxable property of the district in the county.

SEC. 3."

Amendments read and adopted.

Bill ordered printed, engrossed, and to third reading.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 4—An act to add Section 1.5 to Chapter 873 of the Statutes of 1929, being an act, approved June 19, 1929 and entitled "An act to authorize, empower and direct the Governor of the State of California to employ counsel, agents and attorneys for the purpose of prosecuting, collecting and recovering claims of the State of California against the United States of America for disbursements made by the State of California in aid of the General Government during the Civil, Spanish, Indian and other wars and to prescribe the terms and conditions of employment, the rate of compensation therefor; and the manner of payment thereof, and to repeal an act entitled 'An act to authorize, empower, and direct the Governor of the State of California to employ counsel, agents, and attorneys for the purpose of prosecuting, collecting and recovering the claims of the State of California against the United States of America, to prescribe the terms and conditions of the employment, the rate of compensation therefor, and the manner of payment

thereof,' approved March 23, 1907, and also repealing an act entitled 'Concerning the war debt of this State, and providing for the redemption thereof,' approved April 19, 1856,'' relating to the authority of the Governor to contract for the recovery of claims of the State against the United States arising out of the Civil, Spanish, Indian and other wars, declaring the urgency thereof, and take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 8—An act to validate bonds of Zone 1 of the Ventura County Flood Control District and proceedings relating thereto, and making final and conclusive, except as therein provided, the canvass of election returns of the election at which said bonds were voted, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Request for Unanimous Consent

Senator McBride asked for, and was granted, unanimous consent to take up Assembly Bill No. 8, at this time, for consideration.

CONSIDERATION OF ASSEMBLY BILL NO. 8

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Senator McBride:

Resolved, That Assembly Bill No. 8 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read third time, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Jespersen, Keating, Kuchel, McBride, McCormack, Mixter, Parkman, Salsman, Seawell, Slater, Tenney, Ward, and Weybret—29.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

Assembly Bill No. 8—An act to validate bonds of Zone 1 of the Ventura County Flood Control District and proceedings relating thereto, and making final and conclusive, as therein provided, the canvass of election returns of the election at which said bonds were voted, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Seawell, Shelley, Slater, Swing, Tenney, Ward, and Weybret—35.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Jespersen, Keating, Kuchel, McBride, McCormack, Mixter, Parkman, Salsman, Seawell, Slater, Sutton, Tenney, Ward, and Weybret—28.

NOES—None.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE (RESUMED)

SECOND READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 56—An act to amend Section 13204.1 of the Education Code, relating to certificated employees of school districts, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 2 of the printed bill, as amended, following line 14, insert "Notwithstanding anything in Section 14495 to the contrary if any member of the Retirement System serving in the full time paid service of the American Red Cross does not pay during such service the contributions to the Permanent Fund and to the Retirement Annuity Fund provided for in Section 14495 the contributions shall be paid by him directly to the Retirement System or deducted from his salary payments at the rate of fifty dollars ($50) or at the rate of 20 per cent of such contributions, whichever is the greater, during each successive period of 12 months following his return to duty in a position requisite to membership in the Retirement System; provided that all contributions required to be made to the Retirement Annuity Fund and all contributions required to be made to the Permanent Fund on account of service rendered on or after July 1, 1944 shall be paid before retirement."

Amendment No. 2

On page 2 of said bill, strike out lines 28 to 31, inclusive, and insert "that error and, further, extends to such employees the same privileges with respect to the payment of contributions to the State Teachers Retirement System as are contemplated by other measures with respect to veterans of active military service. In order that the persons coming within the scope of this measure may secure at the earliest possible time the rights and privileges granted thus by this act, it is necessary that it take effect immediately."

Amendments read and adopted.

Bill ordered printed, and to third reading.

THIRD READING OF SENATE BILLS

Senate Bill No. 46—An act to amend Sections 19601, 19608, 19613, and 19616 of, and to add Section 19613.5 to, the Education Code, relating to child care centers, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Senator Burns moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, as amended, strike out "Section 19613.5", and insert "Sections 19613.5, 19617, and 19618".

Amendment No. 2

On page 1, line 6, of said bill, strike out "women", and insert "servicemen's wives".

Amendment No. 3

On page 2 of said bill, between lines 29 and 30, insert

"SEC. 7. Section 19618 is added to said code, to read:

19618. The use of child care centers shall be limited to children of persons serving in the armed forces of the United States."

Amendment No. 4

On page 2, line 30, of said bill, strike out "SEC. 7.", and insert "SEC. 8."

Amendments read.

Roll Call Demanded

Senators Hatfield, Crittenden, and Gordon demanded a roll call.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Senators Brown, Burns, Collier, Desmond, Donnelly, Gordon, Hatfield, Hulse, Keating, Kuchel, Mixter, Parkman, Powers, Quinn, Rich, and Seawell—16.

NOES—Senators Biggar, Breed, Carter, Crittenden, Cunningham, DeLap, Deuel, Dilworth, Dorsey, Fletcher, Jespersen, Judah, McBride, McCormack, Salsman, Slater, Sutton, Swing, Tenney, Ward, and Weybret—21.

Further Consideration of Senate Bill No. 46

Motion to Re-refer Senate Bill No. 46

Senator Burns moved that Senate Bill No. 46 be re-referred to Committee on Governmental Efficiency.

Previous Question

Senator Rich moved the previous question.

Motion carried.

The question being on the motion to re-refer Senate Bill No. 46 to Committee on Governmental Efficiency.

Roll Call Demanded

Senators Collier, Desmond, and Shelley demanded a roll call.

The roll was called, and the motion lost by the following vote:

AYES—Senators Brown, Burns, Collier, Desmond, Deuel, Donnelly, Hatfield, Hulse, Keating, Kuchel, and Seawell—11.

NOES—Senators Biggar, Breed, Carter, Crittenden, Cunningham, DeLap, Dillinger, Dilworth, Dorsey, Fletcher, Jespersen, Judah, McBride, McCormack, Mixter, Parkman, Quinn, Rich, Salsman, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—26.

Further Consideration of Senate Bill No. 46

Senate Bill No. 46—An act to amend Sections 19601, 19608, 19613, and 19616 of, and to add Section 19613.5 to, the Education Code, relating to child care centers, and declaring the urgency thereof, to take effect immediately.

Urgency Clause

Urgency clause read.

Previous Question

Senator DeLap moved the previous question.

Motion carried.

The question being on the adoption of the urgency clause.

Urgency clause adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Collier, Crittenden, Cunningham, DeLap, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Jespersen, Judah, Keating, McBride, McCormack, Mixter, Parkman, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—30.

NOES—Senators Burns, Desmond, Deuel, Hatfield, Hulse, and Kuchel—6.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Jespersen, Judah, Keating, McBride, McCormack, Mixter, Parkman, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—31.

NOES—Senators Burns, Desmond, Deuel, Hatfield, Hulse, and Kuchel—6.

Bill ordered transmitted to the Assembly.

Senate Bill No. 2—An act to add Section 10.5 to the County Highway Aid Act of 1945 (Chapters 938 and 952 of the Statutes of 1945),

relating to the expenditure of moneys for construction of highways, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Seawell, Shelley, Slater, Sutton, Swing, Ward, and Weybret—33.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—35.
NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 5—An act making an appropriation for the acquisition of land for State forests.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Dorsey, Fletcher, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—35.
NOES—None.

Bill ordered transmitted to the Assembly.

Chief Assistant Secretary Cleve V. Taylor at the Desk

Senate Bill No. 21—An act making an appropriation to the Veterans' Welfare Board for the purpose of providing educational assistance for veterans.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Fletcher, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, McCormack, Mixter, Parkman, Quinn, Rich, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—33.
NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 24—An act to authorize the Department of Finance to acquire surplus property from the United States for the purpose of furnishing housing facilities for veterans attending universities and colleges and making an appropriation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Fletcher, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, McCormack, Mixter, Quinn, Rich, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—32.
NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 27—An act making an appropriation for the construction of a women's dormitory at the Veterans' Home of California.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Collier, Crittenden, Desmond, Deuel, Dilworth, Donnelly, Dorsey, Fletcher, Hatfield, Hulse, Judah, Keating, Kuchel, McCormack, Mixter, Powers, Quinn, Rich, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—30.

NOES—Senators Cunningham, DeLap, Dillinger, and Jespersen—4.

Bill ordered transmitted to the Assembly.

Senate Bill No. 65—An act making an appropriation to the Department of Mental Hygiene for additional out-patient clinics, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Re-refer Senate Bill No. 65

Senator Rich moved that Senate Bill No. 65 be re-referred to Committee on Finance.

Motion carried.

Senate Concurrent Resolution No. 14—Relative to the acquisition of certain lands on or near the Colorado River for a State park.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Fletcher, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, McCormack, Mixter, Powers, Quinn, Rich, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—30.

NOES—None.

Resolution ordered transmitted to the Assembly.

CONSIDERATION OF MOTION TO RECONSIDER

Assembly Joint Resolution No. 4—Relative to memorializing Congress to allocate housing appropriations upon the basis of need of present population.

Motion Waived

Senator Donnelly waived his motion to reconsider the vote whereby Assembly Joint Resolution No. 4 was adopted.

Assembly Joint Resolution No. 4 ordered transmitted to the Assembly.

Secretary J. A. Beek at the Desk

MOTION TO DISCONTINUE ACTION ON FILE

At 11.57 a.m., Senator Seawell moved that the Senate, at this time, discontinue further action on the daily file.

Motion carried.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 15

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

Above resolution ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 19

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was read:

Assembly Concurrent Resolution No. 19—Relative to commending the members of the safety meeting of representative citizens at Upland and Ontario, California, and the vicinity thereof.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 25, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 12—An act to amend Section 15n of the Municipal Utility District Act, relating to municipal utility districts, authorizing the temporary use of utility district funds for special districts for sewage disposal purposes, declaring the urgency thereof and providing that this act shall take effect immediately;

Senate Bill No. 26—An act to repeal Sections 877, 981.6, and 985.4 of the Military and Veterans Code, relating to eligibility of veterans for educational aid and farm and home purchases;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fifth day of January, 1946, at 11 a.m.

SEAWELL, Chairman

Committee on Military and Veterans Affairs

SENATE CHAMBER, SACRAMENTO, January 25, 1946

MR. PRESIDENT: Your Committee on Military and Veterans Affairs, to which was referred:

Senate Joint Resolution No. 3

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 9; committee vote: Ayes 8; absent 1.

QUINN, Chairman

Above reported resolution ordered to third reading.

SENATE CHAMBER, SACRAMENTO, January 25, 1946

MR. PRESIDENT: Your Committee on Military and Veterans Affairs, to which was referred:

Assembly Concurrent Resolution No. 8

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 9; committee vote: Ayes 8; absent 1.

QUINN, Chairman

Above reported resolution ordered to third reading.

SENATE CHAMBER, SACRAMENTO, January 25, 1946

MR. PRESIDENT: Your Committee on Military and Veterans Affairs, to which was referred:

Assembly Bill No. 72

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 8; absent 1.

QUINN, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, January 25, 1946

MR. PRESIDENT: Your Committee on Military and Veterans Affairs, to which was referred:

Assembly Bill No. 70

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 8; absent 1.

QUINN, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, January 25, 1946

MR. PRESIDENT: Your Committee on Military and Veterans Affairs, to which was referred:

Assembly Bill No. 14

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 8; absent 1.

QUINN, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, January 25, 1946

MR. PRESIDENT: Your Committee on Military and Veterans Affairs, to which was referred:

Senate Bill No. 71

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 8; absent 1.

QUINN, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, January 25, 1946

MR. PRESIDENT: Your Committee on Military and Veterans Affairs to which was referred:

Senate Bill No. 66

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 8; absent 1.

QUINN, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, January 25, 1946

MR. PRESIDENT: Your Committee on Military and Veterans Affairs to which was referred:

Senate Bill No. 60

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to the Committee on Finance.

Committee membership 9; committee vote: Ayes 8; absent 1.

QUINN, Chairman

Above reported bill re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, January 25, 1946

MR. PRESIDENT: Your Committee on Military and Veterans Affairs to which was referred:

Senate Bill No. 58

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 8; absent 1.

QUINN, Chairman

Above reported bill ordered to second reading.

Committee on Labor

SENATE CHAMBER, SACRAMENTO, January 24, 1946

MR. PRESIDENT: Your Committee on Labor, to which was referred:

Senate Bill No. 43

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 7; committee vote: Ayes 5; absent 2.

SHELLEY, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, January 24, 1946

MR. PRESIDENT: Your Committee on Labor, to which was referred:

Assembly Bill No. 40

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 7; committee vote: Ayes 4; noes 1; absent 2.

SHELLEY, Chairman

Above reported bill ordered to second reading.

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 25, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Proposed Senate Bill No. 95

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Fish and Game.

Committee membership 5; committee vote: Ayes 4; absent 1.

SEAWELL, Chairman

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS (RESUMED)

The following bill was introduced, and read the first time:

Senate Bill No. 95: By Senators Swing, Brown, Dilworth, Gordon, Hulse, and Carter—An act to provide for a program of postwar acquisition, construction, improvement and equipment of property and facilities for the protection, propagation and preservation of fish and game, and to make an appropriation to carry out such program.

Referred to Committee on Fish and Game.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO 14, January 25, 1946

To the Senate of the State of California:

I have the honor to inform you that I propose to make the following appointments, and respectfully request your confirmation thereof and consent thereto:

A. T. SPENCER, a resident of Willits; cattleman; member of the State Board of Forestry since March 19, 1945;
to the State Board of Forestry (representing range livestock industry), vice self, for the term prescribed by law, ending January 15, 1948.

WENDELL ROBIE, a resident of Auburn; lumberman; member of the State Board of Forestry since January 10, 1944;
to the State Board of Forestry (representing forest land ownership), vice self, for the term prescribed by law, ending January 15, 1947.

FRANK W. REYNOLDS, a resident of Ukiah; timber owner; member of the State Board of Forestry since January 10, 1944;
to the State Board of Forestry (representing redwood producing industry), vice self, for the term prescribed by law, ending January 15, 1947.

W. S. ROSECRANS, a resident of Los Angeles; President of the American Forestry Association; member of the State Board of Forestry since January 10, 1944;
to the State Board of Forestry (representative at large), vice self, for the term prescribed by law, ending January 15, 1950.

E. DOMINGO HARDISON, a resident of Santa Paula; farmer; member of the State Board of Forestry since January 10, 1944;
to the State Board of Forestry (representing agriculture), vice self, for the term prescribed by law, ending January 15, 1948.

J..J. PRENDERGAST, a resident of Redlands; President of the Mutual Water Company Association; member of the State Board of Forestry since January 10, 1944;
to the State Board of Forestry (representing beneficial use of water), vice self, for the term prescribed by law, ending January 15, 1949.

KENNETH R. WALKER, a resident of Westwood; lumberman; member of the State Board of Forestry since January 10, 1944;
to the State Board of Forestry (representing pine producing industry), vice self, for the term prescribed by law, ending January 15, 1949.

CHARLES KASCH, a resident of Ukiah; attorney; member of the State Park Commission since March 25, 1944;
to the State Park Commission, vice self, for the term prescribed by law, ending January 15, 1947.

JOSEPH R. KNOWLAND, a resident of Oakland; publisher; member of the State Park Commission since March 22, 1943;
to the State Park Commission, vice self, for the term prescribed by law, ending January 15, 1948.

GEORGE WALDNER, a resident of Ferndale; publisher; member of the State Park Commission from March 22, 1943, to March 25, 1944, at which time he entered the armed forces;
to the State Park Commission, vice Alfred Harrell, for the term prescribed by law, ending January 15, 1947.

LEO CARRILLO, a resident of Santa Monica; stage and screen actor; member of the State Park Commission since March 22, 1943;
to the State Park Commission, vice self, for the term prescribed by law, ending January 15, 1949.

ISIDORE DOCKWEILER, a resident of Los Angeles; attorney; member of the State Park Commission since March 22, 1943;
to the State Park Commission, vice self, for the term prescribed by law, ending January 15, 1948.

DR. ROYAL S. SCUDDER, a resident of Fort Bragg; physician and surgeon;
to the Board of Trustees, Mendocino State Hospital, vice Dr. Paul J. Bowman, resigned, for the term prescribed by law.

DANIEL JUDSON CALLAGHAN, JR., a resident of Oakland; public relations and sales; recently discharged with the rank of Lieutenant Commander from the United States Navy after three years of overseas service;
to the Veterans' Welfare Board, vice L. G. Hitchcock, for the term prescribed by law.

THEODORE WEISSICH, a resident of Eureka; commercial fishing business; chief of the Eureka Volunteer Fire Department;
to the Board of Harbor Commissioners for Humboldt Bay, original appointment, for the term prescribed by law.

GEORGE G. CLONEY, a resident of Eureka; wholesale grocery business; Past Commander, Fort Humboldt American Legion Post, and Past District Commander of the American Legion;
to the Board of Harbor Commissioners for Humboldt Bay, original appointment, for the term prescribed by law.

HARRY J. QUILL, a resident of Eureka; lumber handling business; familiar with project of straightening and deepening of channel of Humboldt Bay;
to the Board of Harbor Commissioners for Humboldt Bay, and as Secretary thereof, original appointment, for the term prescribed by law.

REVEREND THOS. H. MARKHAM, a resident of Sacramento; Director of Catholic Social Welfare in the Diocese of Sacramento; recently discharged with the rank of Major from the United States Army after two years of overseas service as Chaplain;
to the Social Welfare Board, vice Mary E. Barkwill, for the term prescribed by law.

DONALD BOYD, a resident of Yuba City; rancher;
to the Agricultural Prorate Advisory Commission (representing peach interests), vice Mark G. Johnson, for the term prescribed by law.

ED MELIKIAN, a resident of Fresno; grape grower; familiar with problems of marketing;
to the Agricultural Prorate Advisory Commission (representing grape interests), vice James Langford, for the term prescribed by law.

MAJOR W. S. EVERTS, a resident of San Francisco, President of Canner's League of California;
to the Agricultural Prorate Advisory Commission (representing commercial handlers), vice Preston McKinney, deceased, for the term prescribed by law.

LEE F. PAYNE, a resident of Los Angeles; newspaper editor; member of commission since June 4, 1941;
to the Fish and Game Commission, vice self, for the term prescribed by law.

Sincerely,

EARL WARREN, Governor

Message read, and referred to Committee on Rules.

ADJOURNMENT

At 1.05 p.m., on motion of Senator Seawell, the President declared the Senate adjourned until 2 p.m., Monday, January 28, 1946.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-SIXTH (FIRST EXTRAORDINARY) SESSION

SENATE DAILY JOURNAL

SIXTEENTH LEGISLATIVE DAY
TWENTY-SECOND CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO
Monday, January 28, 1946

The Senate met at 2 p.m.
Hon. Frederick F. Houser, President of the Senate, presiding.
Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Keating, Kuchel, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—38.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Dr. Clarence A. Kircher.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Judah, on motion of Senator Seawell due to legislative business elsewhere.

Senator Salsman, on motion of Senator Seawell due to legislative business elsewhere.

PROCLAMATION OF THE GOVERNOR

The President of the Senate directed the Secretary to read the Proclamation of the Governor.

Whereupon the Secretary read the following Proclamation:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA

Proclamation

WHEREAS, The Legislature of the State of California convened on January 7, 1946, in extraordinary session pursuant to my Proclamation dated January 2, 1946, and is now in session; and

WHEREAS, On account of extraordinary occasions which have arisen and now exist, it is deemed desirable and necessary to submit additional subjects to the Legislature for consideration; now, therefore,

I, EARL WARREN, Governor of the State of California, by virtue of the power vested in me by law, hereby amend and supplement my Proclamation dated January 2, 1946, by adding the following additional purposes thereto, and thereby permitting the Legislature to legislate upon the following subjects, in addition to the subjects specified in the original Proclamation, to wit:

54. To consider and act upon allocations of funds from appropriations available to the Legislature or either house thereof to existing Interim Committees created at any session of the Fifty-sixth Legislature, and to appropriate such money as may be necessary therefor.

55. To consider and act upon legislation relating to the acquisition of land in this State by the United States of America.

56. To consider and act upon legislation to amend Sections 6963, 6974 and 6994 of the Public Resources Code relating to the renewal of leases made by the State for taking minerals from the waters of streams or lakes or lands within the original meander lines thereof.

57. To consider and act upon legislation to make Chapter 10, Part 1, Division 4, of the Labor Code applicable to volunteer workers under the California Disaster Act.

58. To consider and act upon legislation to permit payment of increased disability indemnities in workmen's compensation cases.

59. To consider and act upon legislation to regulate the speed of motor vehicles.

60. To consider and act upon legislation to provide an additional Judge of the Superior Court in and for the County of Ventura.

61. To consider and act upon legislation to provide that school districts which through error in fixing the tax rate have become ineligible for the equalization aid provided by Chapter 13.5, Division 3, of the Education Code, shall be eligible for such aid and to provide for assistance to such districts.

62. To consider and act upon legislation relating to the location of the Medical Facility of the Department of Corrections.

63. To consider and act upon legislation relating to the recordation of crop and personal property mortgages and the satisfaction or discharge of mortgages.

64. To consider and act upon legislation to amend Section 44 of the County Employees Retirement Act of 1937, relating to the period within which an elective officer must file a declaration to become a member of a county retirement association.

65. To consider and act upon legislation providing for the reorganization of the State agencies concerned with veterans and veterans affairs and providing for the incorporation of the State Athletic Commission within the Department of Professional and Vocational Standards.

66. To consider and act upon legislation to provide for participation by the State of California in the celebration to be held at Sonoma on June 14, 1946, commemorating the centennial of the raising of the Bear Flag of the California Republic.

67. To consider and act upon legislation to provide for participation by the State of California in the celebration to be held at Monterey on July 7, 1946, in commemoration of the centennial of the raising of the American Flag at Monterey by Commodore Sloat.

In Witness Whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this twenty-fifth day of January, 1946.

(Signed)
[SEAL]

EARL WARREN, Governor of the State of California

Attest: FRANK M. JORDAN, Secretary of State

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO 14, January 26, 1946

To the Honorable Members of the Senate
Senate Chamber, Sacramento, California

GENTLEMEN: I have this day approved and delivered to the Secretary of State Senate Bill No. 1 with the following statement of the items to which I object and the reasons therefor:

At the request of the author, I object to the item of $100,000 in Section 1 of Senate Bill No. 1 and I reduce said amount to $50,000. My reason for making

this reduction is that the author of the bill has requested the reduction to clear the way for the introduction of another appropriation bill under Item 54 of my Proclamation of January 25th, supplementing my Proclamation of January 2, 1946, calling the Fifty-sixth Legislature into extraordinary session.

Sincerely,

EARL WARREN, Governor

Message read, and ordered printed in the Journal.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO 14, January 28, 1946

To the Honorable Members of the Senate
State of California, Sacramento, California

GENTLEMEN: In my message to the Legislature of January 7th I recommended that action be taken to meet the responsibility of the State for systematically and adequately assembling the facts of our economic life in such manner that we can have a dependable barometer of production and employment in California.

I made that recommendation to this special session because this is the time to do some of those things which, if we do not do them now with foresight, may some day be the bitter subjects of hindsight regret.

We are just emerging from a period of wartime mobilization of our human and material resources, a mobilization that involved complete transformation and control of our economy for the purpose of war production.

We are now in the early phases of a readjustment period characterized by gradual release from economic directives and controls and by a restoration of the methods of free enterprise.

We are experiencing conditions similar to those that followed World War I, but on a vastly larger scale—conversion of industry, new production methods, shortage of materials, reshuffling of manpower, accumulated savings, and a great demand for the goods and services of peacetime life.

For the most part, our people are thinking and talking in terms of a high—a comparatively luxurious—standard of living, but let us not forget that for nearly 10 years after World War I we rode the crest of a similar tide of optimism, with little attention to, and less knowledge or understanding of, those underlying economic forces that were soon to wreck what turned out to be a superficial prosperity.

Those of us in Government, in business, in labor and in agriculture, who recognize that the welfare of our families depends upon a sustained high level of employment and production, must never again be so wanting in vigilance, so neglectful, so ignorant, of the working of our economy as to permit repetition of the disaster of less than 20 years ago.

Ours is the obligation to constantly find and assess the facts, to assume the responsibility for dealing with them in time, and to protect our people as far as humanly possible from the penalties that must be paid for ignorance, indifference or superficial propaganda from any source.

Failure in this regard would be particularly inexcusable in a State that has grown and changed as fast as California. Our population has increased 57 per cent in the last 15 years. It has increased by 2,000,000 people, or nearly 25 per cent, in the last four years. The pattern of California's economy has been transformed and it is still changing.

Our production and employment problems have become so complex that it seems nothing less than dangerous for us to drift along on optimism and guesswork, improvising from day to day, without any means of detecting the underlying signs of the times until disaster is actually upon us and confronting us in serious form.

The time has come for us to be realistic—factual—and to equip ourselves to get our present bearings and chart our future course.

We have at hand the means for doing this job, and in my opinion, Government has the responsibility for doing it in a manner that will keep our Government, our producers, our distributors and our consumers thoroughly and currently informed through the critical years ahead.

The great need is for a responsible agency of Government—representative of business, of labor and of agriculture—to constantly and scientifically assemble, correlate and interpret factual information from every available source and to periodically report its findings to the executive, the Legislature, and to the public.

Our Reconstruction and Reemployment Commission has studied this problem and has consulted with a committee of outstanding representatives of business and labor. The recommendations of that committee have come to me after careful consideration of the technical detail and the public policy involved in the recommendation which I, in turn, have made to the Legislature.

It is only proper that I should publicly acknowledge the valuable advice given to the State of California by the men who are serving on that committee: Mr. Donald M.

Nelson, formerly Chairman of the War Production Board, now a resident of California and President of the Society of Independent Motion Picture Producers; Mr. Stephen D. Bechtel, ship builder and contractor, President of the W. A. Bechtel Company; Mr. Harry Woodhead, aircraft manufacturer, President of Consolidated Vultee Aircraft Corporation, ably assisted by Mr. David Fleet, Vice-President of that company; Mr. Mervyn Rathborne, State Secretary Treasurer of the California CIO Council, and Mr. C. J. Haggerty, Secretary of the California State Federation of Labor.

Specifically, in the opinion of this committee and myself, there is urgent need in California for an Economic Council, composed of representatives of business, small business, labor, agriculture, and the public.

This Economic Council would carry on a continuous survey of economic conditions, trends and factors within the State, and outside the State to any extent that involves the economy of California.

With the technical assistance of a Director of Economic Research, and an appropriate staff, this Economic Council would prepare, and submit to the Governor at regular intervals, production and employment reports, analysing and estimating the volume and level of population, the labor force, employment, income and production during the period covered by the report, and for the near future.

The council would make suggestions for action to create and maintain the highest possible level of production, consumption, employment, income and purchasing power within the State.

Then, what has heretofore been everybody's business, and therefore nobody's business, becomes the concern of the State of California, and it would be up to the Governor and the Legislature to assume responsibility for doing whatever can be done to improve, stabilize and stimulate the economy of our State.

The Governor would submit an employment and production budget to the Legislature, with his recommendations, or, should the Legislature not be in session, to a Joint Committee of the Legislature especially created for that purpose. The Legislature, properly informed, would then not only have the responsibility for acting, but would be in a position to act.

As recently as December, 1945, the Chamber of Commerce of the United States, through its Committee on Economic Policy, its membership including 20 of the outstanding industrialists of the Nation, recommended a quite similar program.

That committee, after pointing out that, "We are here concerned, not with a single problem, but with a series of interrelated and highly complicated economic processes and problems," recommended the appointment of a National Economic Commission, and described the functions of such a commission as follows:

> This commission should be required to make quarterly reports as well as an annual report with minority opinions in case of disagreement to a Joint Committee of the House and Senate and to the President, especially with a view toward recommendations as to the inner consistency of Government policies and always with the objective in view of maintaining the full utilization of all of our resources, both human and physical, within the framework of a free and voluntary society. The commission should be completely independent and its recommendations should be of an advisory character. The Joint Congressional Committee and the President should be free to call on the commission for recommendations on any matter pertaining to the problem of full utilization of resources. The commission should be adequately staffed, holding hearings, set up advisory committees of business and other leaders, and have the services of other Government agencies at its disposal.

This is a very good paraphrase of the program herein recommended for California. The objectives and the elements are the same.

It is quite apparent that many groups have been thinking more and more in these terms.

Many business, agricultural, professional and labor organizations actually make surveys and reports from time to time to assist their cause in facing controversial problems. Nearly always, the reports of these contending groups are difficult to reconcile because they are based on various approaches, different sources of information and conflicting definitions and standards.

Too often these surveys and prognostications are made for the purpose of proving a point rather than for the purpose of furnishing conclusions reached from a disinterested and objective viewpoint.

This results in confusion at a time when clear findings based on the real facts are essential to the welfare of our people.

It seems to me that such confusion can be resolved only by the establishment of an agency that is responsible to the public both for its methods and its objectives.

Only Government can do the job in this way. It is beyond the ability of any one business or industry, farm group, union, or profession, to adequately discover and objectively appraise all of the trends involved. A real production and employment

estimate is the result of innumerable factors that must be centrally and systematically catalogued and constantly interpreted.

Government already has many departments and agencies which normally gather much of the information that could be scientifically utilized to give a single complete and accurate picture of our economic condition. We do not propose to duplicate this.

At the present time, however, most of this material is obtained and used only for the limited purposes of the particular department or agency, and there is no machinery in State Government to bring it all to bear on the broad and basic economic problem of the State.

The program I have recommended calls for full use and centralization of all such information along with other factual data that is not now obtained at all.

I am firmly of the opinion that, not only is this program the responsibility of Government, but it is the responsibility of State Government. The establishment of a similar economic council in the Federal Government, along the lines proposed by the United States Chamber of Commerce, would have National value, and would be extremely helpful to California. But it could not be considered a substitute for a State program in this field.

Any National production and employment estimate would necessarily be general. Its statistical composition, and its manner of preparation, would differ in important respects from a State estimate. It would not be designed to give to California, as a State, an adequate picture of its own unique economic situation.

Our primary concern is for California, and we want to be in a position to accurately, authoritatively and specifically demonstrate California's condition and needs—not only to our own people—but whenever we find it necessary, to make recommendations to the Federal Government for National action affecting California.

This would be particularly valuable to support California's case for Federal policies involving our ability to obtain and keep new industry in the West, and to competitively market our tremendous product—industrial, mineral and agricultural—in other parts of the Nation.

For everyone—the Congress, the Governor, the Legislature, business, industry, workers, and farmers—this program would provide for the first time a comprehensive, dependable, and up-to-date picture of California's complex economy, and its shifts from month to month and from year to year.

Particularly to public officials, including local public officials, these forecasts would be invaluable for the scheduling and timing of public works, for estimating of revenues, and for the planning and expansion of community facilities.

It is a strange thing that, although millions of dollars are yearly poured out for scientific research in the physical fields, both by private business and endowment and by Government as well, comparatively little has been done to provide thorough research in practical economics, upon which every plan we make, and everything we do, depends for proper development and stability.

The job can be done, and well done, in California with comparatively little expense. The financial budget prepared in support of my recommendation to the Legislature calls for an annual appropriation of approximately $214,000. Of this total, $114,000 would be for supplementary appropriations to seven existing departments now engaging in research in order to build up their technical staffs in conformity with this program. The balance, $100,000, would be for the support of the newly created Economic Council and its staff.

It seems to me that this is cheap insurance for California, and I trust the Legislature will give this proposal its most serious consideration.

Along similar lines, but with particular concern for the special needs of California agriculture, I recommended in my message of January 7th a research program designed to help agriculture improve its products, develop new products, and find new uses for the things our farmers grow, or could grow, in California.

California is now in dollar volume the No. 1 agricultural State of the Union. Its gross farm income for 1944 was $1,750,000,000, and for 1945, the estimate is $2,000,000,000.

A great part of that income must necessarily be derived through export of our bountiful specialty crops and products.

Because agriculture is such a strong bulwark of our California economy, its position in the Nation must be maintained.

The time has come, however, when California agriculture is being faced with strong competition from other regions of the Country that are already putting to use the findings of modern agricultural research.

Those regions are making stronger bids for the markets which have heretofore been regarded as the almost exclusive opportunities of California agriculture and its related industries.

California agriculture wants to, and must, keep abreast of every current development made possible through research. Many technical problems, which have been regarded as comparatively unimportant in the past, must now receive attention.

Although the selling job of agriculture belongs to private enterprise, the research job is largely the responsibility of the State. Research must be conducted impartially, continuously, objectively and exhaustively. It is laboriously slow and unspectacular—although its results are sometimes most spectacular.

It should, therefore, be financed by public funds, and its results made available to private enterprise for better production, processing, distribution and utilization of farm products in a technical and highly competitive age.

Studies must be made of the hazards and handling of new insecticides, fungicides, and herbicides developed as a result of war. Improved techniques must be found for the application of pest control materials by power machines, particularly airplanes, for the purpose of gaining maximum results and preventing incidental losses.

Maturity studies, and pre-packaging and container studies, must be made on fruits and vegetables to keep up with the development of transportation by air. Research must be speeded up on new pests and diseases, such as tree-declines, virus diseases of deciduous and stone fruits, and on weed control, and livestock and poultry diseases.

Dissemination of the results of research must be made more quickly available, not only to agriculturists, but for the better information of regulatory and enforcement officers.

I have recommended that we start now on the extension of agricultural research, along these and related lines, with an appropriation of approximately $2,000,000 for its support.

Although this amount is extremely large in comparison with the sum necessary to support an over-all Economic Council, both of these programs are recommended upon the principle that California must immediately obtain the basic and technical information necessary for the protection and stimulation of its economy in every branch.

For this reason, I have dealt with both of these programs in this message, and I believe that both should receive consideration now if we are to reap their benefits for California in the future.

Sincerely,

EARL WARREN, Governor

Message read, and ordered printed in the Journal.

COMMUNICATIONS

The following communication was received, read, and ordered printed in the Journal:

STATE RECONSTRUCTION AND REEMPLOYMENT COMMISSION
SACRAMENTO 14, January 25, 1946

Honorable Earl Warren, Governor of California
Honorable Frederick F. Houser, President of the Senate
Honorable Charles W. Lyon, Speaker of the Assembly

The First Report on the Study of Timing of Public Works in California is submitted herewith. This is necessarily a continuing study. Its performance is required by Senate Concurrent Resolution No. 50 (Chapter 134, Statutes of 1945).

Further reports will deal with the effects of intelligent timing of public works expenditures, upon the larger problems of private construction, total employment and individual income.

Respectfully submitted

ALEXANDER R. HERON
Director of Reconstruction and Reemployment

The report ordered filed with the Secretary of the Senate.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Joint Resolution No. 12

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By HAROLD F. LEWRIGHT, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following resolution was read:

Assembly Joint Resolution No. 12—Relative to protein feed concentrates.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 25, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 40
Senate Joint Resolution No. 3

And reports the same correctly engrossed.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 26, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 15
Senate Bill No. 45
Senate Bill No. 61
Senate Bill No. 79
Senate Constitutional Amendment No. 2

And reports the same correctly engrossed.

SEAWELL, Chairman

Committee on Natural Resources

SENATE CHAMBER, SACRAMENTO, January 25, 1946

MR. PRESIDENT: Your Committee on Natural Resources, to which were referred:

Assembly Bill No. 41
Assembly Bill No. 42

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 9; committee vote: Ayes 5; absent 4.

FLETCHER, Chairman

Above reported bills re-referred to Committee on Finance.

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 26, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 19

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Transportation.

Committee membership 5; committee vote: Ayes 4; absent 1.

SEAWELL, Chairman

Above reported resolution re-referred to Committee on Transportation.

SENATE CHAMBER, SACRAMENTO, January 25, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Proposed Senate Bill No. 96

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Public Utilities.

Committee membership 5; committee vote: Ayes 4; absent 1.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 26, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Senate Joint Resolution No. 4

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Military and Veterans Affairs.

Committee membership 5; committee vote: Ayes 4; absent 1.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 26, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 22

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 4; absent 1.

SEAWELL, Chairman

Above reported resolution ordered to third reading.

SENATE CHAMBER, SACRAMENTO, January 25, 1946

MR. PRESIDENT: Your Committee on Rules has appointed Senators

Breed,
Tenney,
McBride,

As members of the committee created under Senate Concurrent Resolution No. 8.

SEAWELL, Chairman

MOTION TO APPROVE SENATE JOURNALS

Senator Seawell moved that the Senate Journals of Monday, January 21, 1946; Tuesday, January 22, 1946; Wednesday, January 23, 1946; Thursday, January 24, 1946; and Friday, January 25, 1946, be approved as corrected by the Minute Clerk and Journal Clerk.

Motion carried.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following bills were introduced, and read the first time:

Senate Bill No. 96: By Senator Parkman—An act providing for the supervision and regulation of the transportation of persons and property for compensation by aircraft between places within the State of California; defining air common carriers and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act.

Referred to Committee on Public Utilities.

Senate Joint Resolution No. 4: By Senators Dilworth, Dorsey, Hatfield, Tenney, and Quinn—Relative to Federal legislation granting terminal furloughs and leaves to enlisted personnel of the armed forces of the United States.

Referred to Committee on Military and Veterans Affairs.

THE FOLLOWING PROPOSED BILLS WERE READ, AND REFERRED TO COMMITTEE ON RULES

By Senators Hatfield, Cunningham, Dorsey, Hulse, Mixter, Collier, and Burns—An act to amend Sections 2941 and 2957 of, and to add Sections 2941.5 and 2972.5 to, the Civil Code, relating to mortgages, to take effect immediately.

By Senators Quinn and Hatfield—An act making an appropriation for the support of the Department of Veterans Affairs.

RESOLUTIONS

The following resolution was offered:

By Senators Cunningham and Mixter:

Senate Resolution No. 21

Relative to the passing of the Honorable Charles Lester Guthrie

WHEREAS, The Members of the Senate of the State of California have been deeply grieved and profoundly shocked at the sudden and untimely passing, on January 27, 1946, of the Honorable Charles Lester Guthrie, Member of the Assembly from the Thirty-Sixth Assembly District; and

WHEREAS, Charles Lester Guthrie was born of a pioneer cattle raising family on a ranch in the White River country southeast of Porterville on September 12, 1885. He attended the schools of Visalia, and studied for a time at the Medical College at San Francisco, but returned to cattle raising which remained his principal occupation throughout his career; and

WHEREAS, Charles Lester Guthrie married Florence Manter at Fresno, California, on August 14, 1910, and his passing leaves bereaved his widow, a daughter, a son, and four grandchildren; and

WHEREAS, Charles Lester Guthrie was instrumental in organizing the work of the Farm Credit Administration in the San Joaquin Valley and was so successful in his efforts to aid the distressed farmers in that area that he was, in 1940, elected Director of the Farm Credit Administration for the Eleventh District, comprising Arizona, California, Nevada and Utah, and was reelected in 1943 without opposition; and

WHEREAS, Charles Lester Guthrie was elected to the Assembly of the State of California in 1942, and soon rose to a position of influence in that body, having been particularly interested in all phases of legislation affecting the agricultural industry; and at the time of his passing was Vice Chairman of the Joint Interim Committee on Agriculture and Live Stock Problems; and

WHEREAS, In his first term of office Charles Lester Guthrie represented his constituency so successfully and satisfactorily that in the primary election of 1944 he was renominated by both parties almost unanimously, there being only six scattered votes cast against him throughout his district which comprises two counties; and

WHEREAS, In addition to his business and political activities, Charles Lester Guthrie entered into the religious and social affairs of his community, being a member of the Congregational Church, F. & A. M., Knights Templar, Islam Temple Shrine, the Elks Lodge, and the Sutter Club; and

WHEREAS, In the passing of Charles Lester Guthrie the State has lost a valuable servant and citizen and his colleagues in the Legislature have lost an esteemed and honored friend; now, therefore, be it

Resolved by the Senate of the State of California, That the Senate hereby expresses its deep sorrow at the passing of the Honorable Charles Lester Guthrie and its most sincere sympathy for his bereaved widow, children and grandchildren; and, be it further

Resolved, That when the Senate shall this day adjourn it shall do so out of respect to the memory of the Honorable Charles Lester Guthrie; and, be it further

Resolved, That the Secretary of the Senate is directed to prepare suitably engrossed copies of this resolution and deliver the same to the widow, son, and daughter of the Honorable Charles Lester Guthrie as a token of the sympathy of the members of this body in their bereavement.

Resolution read, and adopted by a rising vote of the following Senators:

Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Keating, Kuchel, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—38.

MOTION TO APPOINT SPECIAL COMMITTEE

Senator Mixter moved that the President of the Senate appoint a Special Committee of three Senators to attend the funeral of the late Honorable Charles Lester Guthrie.

Motion carried.

Appointment of Special Committee

Pursuant to the above motion, the President announced the appointment of Senators Mixter, Cunningham, and Dorsey as such Special Committee.

MOTION TO SET SPECIAL ORDER

Senator Shelley moved that Senate Bill No. 40 be made a special order of business for Tuesday, January 29, 1946, at 11 a.m.

Motion carried.

ADJOURNMENT

At 2.25 p.m., on motion of Senator Seawell, the President declared the Senate adjourned until 10.30 a.m., Tuesday, January 29, 1946, out of respect to the memory of the late Honorable Charles Lester Guthrie.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-SIXTH (FIRST EXTRAORDINARY) SESSION

SENATE DAILY JOURNAL

SEVENTEENTH LEGISLATIVE DAY
TWENTY-THIRD CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO
Tuesday, January 29, 1946

The Senate met at 10.30 a.m.
Hon. Frederick F. Houser, President of the Senate, presiding.
Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—40.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Dr. Clarence A. Kircher.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Fletcher, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. J. H. L. Vogt, County Engineer, of San Diego.

On request of Senator Dillinger, the privilege of the floor of the Senate Chamber for this day was unanimously extended to John E. Keller and Capt. P. C. Ronyone of Lake Tahoe, El Dorado County.

On request of Senator Keating, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. J. S. Miller of Ross; Mrs. Letha Jenkins, Principal, Miss La Vonne Patterson, teacher, and the following students of the Eighth Grade Class, of the Ross Grammar School of Ross: Christopher Bethards, Salley Blabon, Nancy Boyer, Beryl Buck, Betsy Chapman, Betty Chapman, Salley Cook, Robert Dettner, Marion Engle, Tommy Hall, Robert Hubbard, Patricia Krieger, Eleanor Liebeskind, Bill Mackey, Jean Monahan, Margaret Marks, Martha Matthews, Joe Miller, Clement McCarthy, Philip Molten, John Ongaro, Philip Page, and Bill Shotwell.

On request of Senator Dilworth, the privilege of the floor of the Senate Chamber for this day was unanimously extended to De Witt Hutchins of Riverside.

On request of Senator Seawell, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Thomas B. Pollard of Vallejo.

On request of Senator Biggar, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. William H. Biggar of Glen Ellen.

On request of Senator Carter, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. J. R. Shannon of Redding and Homer Boucher of Sacramento.

COMMUNICATIONS

The following communication was received, read, and on motion of Senator Desmond, ordered printed in the Journal:

WEST SACRAMENTO IMPROVEMENT CLUB
WEST SACRAMENTO, CALIFORNIA, January 23, 1946

WHEREAS, This community known as West Sacramento, has for a long time been in dire need of services such as street maintenance, street lighting, good water, sewers and correction of garbage service, its disposal and many other services necessary to a closely populated community; and

WHEREAS, Being unincorporated, appeals have been made to the board of supervisors of the county, which have received no action for reasons which may be better known to that august body; be it

Resolved, That this organization, the West Sacramento Improvement Club, note on its records, its support of Senate Bill No. 63, Desmond, known as the Community Service District Law and suggest its passage to the State Legislature now in special session; and be it further

Resolved, That a copy of this resolution be tendered to the two bodies of the Legislature, the Senate and the Assembly.

ERNEST J. HILDEBRAND, President
DOROTHY A. FRAME, Secretary

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 28, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Concurrent Resolution No. 15—Approving certain amendments to the charter of the City of Marysville, State of California, ratified by the electors of said city at a general municipal election held therein on the twenty first day of January, 1946; And reports that the same has been correctly enrolled, and presented to the Secretary of State on the twenty-eighth day of January, 1946, at 3 p.m.

SEAWELL, Chairman

Committee on Transportation

SENATE CHAMBER, SACRAMENTO, January 28, 1946

MR. PRESIDENT: Your Committee on Transportation, to which was referred:

Senate Bill No. 82

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 11; committee vote: Ayes 9; absent 2.

McCORMACK, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, January 28, 1946

MR. PRESIDENT: Your Committee on Transportation, to which was referred:

Senate Bill No. 78

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 11; committee vote: Ayes 9; absent 2.

McCORMACK, Chairman

Above reported bill re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, January 28, 1946

MR. PRESIDENT: Your Committee on Transportation, to which was referred:

Assembly Bill No. 5

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; absent 2.

McCORMACK, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, January 28, 1946

MR. PRESIDENT: Your Committee on Transportation, to which was referred:

Assembly Concurrent Resolution No. 19

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 11; committee vote: Ayes 9; absent 2.

McCORMACK, Chairman

Above reported resolution ordered to third reading.

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 28, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Assembly Joint Resolution No. 12

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 4; absent 1.

SEAWELL, Chairman

Above reported resolution ordered to third reading.

SENATE CHAMBER, SACRAMENTO, January 28, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Proposed Senate Bill No. 97

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Judiciary.

Committee membership 5; committee vote: Ayes 4; absent 1.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 28, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Proposed Senate Bill No. 98

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Military and Veterans Affairs.

Committee membership 5; committee vote: Ayes 4; absent 1.

SEAWELL, Chairman

Committee on Local Government

SENATE CHAMBER, SACRAMENTO, January 28, 1946

MR. PRESIDENT: Your Committee on Local Government, to which was referred:

Assembly Bill No. 108

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 7; absent 2.

CUNNINGHAM, Chairman

Above reported bill ordered to second reading.

Committee on Fish and Game

SENATE CHAMBER, SACRAMENTO, January 28, 1946

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred:

Senate Bill No. 95

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to Committee on Finance.

Committee membership 11; committee vote: Ayes 10; absent 1.

GORDON, Chairman

Above reported bill ordered to second reading.

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 28, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred the message from the Governor dated January 25, 1946, appointing:

A. T. SPENCER, as member of the State Board of Forestry (representing range livestock industry), vice self, for the term prescribed by law, ending January 15, 1948;

WENDELL ROBIE, as member, State Board of Forestry (representing forest land ownership), vice self, for the term prescribed by law ending January 15, 1947;

FRANK W. REYNOLDS, as member, State Board of Forestry (representing producing industry), vice self, for the term prescribed by law ending January 15, 1947;

W. S. ROSECRANS, as member, State Board of Forestry (representative at large), vice self, for the term prescribed by law ending January 15, 1950;

E. DOMINGO HARDISON, as member, State Board of Forestry (representing Agriculture), vice self, for the term prescribed by law ending January 15, 1948;

J. J. PRENDERGAST, as member, State Board of Forestry (representing beneficial use of water), vice self, for the term prescribed by law ending January 15, 1949;

KENNETH R. WALKER, as member, State Board of Forestry (representing pine producing industry), vice self, for the term prescribed by law ending January 15, 1949;

Has had the same under consideration, and respectfully reports the same back, and recommends that the appointments of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 4; absent 1.

SEAWELL, Chairman

CONSIDERATION OF APPOINTMENTS BY THE GOVERNOR

Motion to Confirm Appointments by the Governor

Senator Seawell moved that the Senate confirm and consent to the appointment of A. T. Spencer, Wendell Robie, Frank W. Reynolds, W. S. Rosecrans, E. Domingo Hardison, J. J. Prendergast, and Kenneth R. Walker as members of the State Board of Forestry.

The President put the question, "Will the Senate confirm and consent to the appointment of A. T. Spencer, Wendell Robie, Frank W. Reynolds, W. S. Rosecrans, E. Domingo Hardison, J. J. Prendergast, and Kenneth R. Walker?"

The roll was called, with the following result:

AYES—Senators Biggar, Breed, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dilfinger, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Keating, Kuchel, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Seawell, Shelley, Slater, Sutton, Swing, Tenney, and Ward—34.

NOES—None.

Appointments Confirmed

Whereupon the President announced that the Senate had confirmed and consented to the appointment of A. T. Spencer, Wendell Robie, Frank W. Reynolds, W. S. Rosecrans, E. Domingo Hardison, J. J. Prendergast, and Kenneth R. Walker.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 28, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred the message from the Governor dated January 25, 1946, appointing

CHARLES KASCH, as member, State Park Commission, vice self, for the term prescribed by law, ending January 15, 1947;

JOSEPH R. KNOWLAND, as member, State Park Commission, vice self, for the term prescribed by law, ending January 15, 1948;

GEORGE WALDNER, as member, State Park Commission, vice Alfred Harrell, for the term prescribed by law, ending January 15, 1947;

LEO CARRILLO, as member, State Park Commission, vice self, for the term prescribed by law, ending January 15, 1949;

ISIDORE DOCKWEILER, as member, State Park Commission, vice self, for the term prescribed by law, ending January 15, 1948;

Has had the same under consideration, and respectfully reports the same back, and recommends that the appointments of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 4; absent 1.

SEAWELL, Chairman

CONSIDERATION OF APPOINTMENTS BY THE GOVERNOR

Motion to Confirm Appointments by the Governor

Senator Seawell moved that the Senate confirm and consent to the appointment of Charles Kasch, Joseph R. Knowland, George Waldner, Leo Carrillo, and Isidore Dockweiler as members of the State Park Commission.

The President put the question, "Will the Senate confirm and consent to the appointment of Charles Kasch, Joseph R. Knowland, George Waldner, Leo Carrillo, and Isidore Dockweiler?"

The roll was called, with the following result:

AYES—Senators Biggar, Breed, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Jespersen, Keating, Kuchel, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Seawell, Shelley, Slater, Swing, Tenney, and Weybret—32.

NOES—None.

Appointments Confirmed

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Charles Kasch, Joseph R. Knowland, George Waldner, Leo Carrillo, and Isidore Dockweiler.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 28, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred the message from the Governor dated January 25, 1946, appointing:

DR. ROYAL S. SCUDDER, as member, Board of Trustees, Mendocino State Hospital, vice Dr. Paul J. Bowman, resigned, for the term prescribed by law;

Has had the same under consideration, and respectfully reports the same back, and recommends that the appointment of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 4; absent 1.

SEAWELL, Chairman

CONSIDERATION OF APPOINTMENT BY THE GOVERNOR

Motion to Confirm Appointment by the Governor

Senator Seawell moved that the Senate confirm and consent to the appointment of Dr. Royal S. Scudder as a member of the Board of Trustees, Mendocino State Hospital.

The President put the question, "Will the Senate confirm and consent to the appointment of Dr. Royal S. Scudder?"

The roll was called, with the following result:

AYES—Senators Biggar, Breed, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Keating, Kuchel, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, and Ward—35.

NOES—None.

Appointment Confirmed

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Dr. Royal S. Scudder.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 28, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred the message from the Governor dated January 25, 1946, appointing:

DANIEL JUDSON CALLAGHAN, JR., as member, Veterans' Welfare Board, vice L. G. Hitchcock, for the term prescribed by law;

Has had the same under consideration, and respectfully reports the same back, and recommends that the appointment of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 4; absent 1.

SEAWELL, Chairman

CONSIDERATION OF APPOINTMENT BY THE GOVERNOR

Motion to Confirm Appointment by the Governor

Senator Seawell moved that the Senate confirm and consent to the appointment of Daniel Judson Callaghan, Jr., as a member of the Veterans' Welfare Board.

The President put the question, "Will the Senate confirm and consent to the appointment of Daniel Judson Callaghan, Jr.?"

The roll was called, with the following result:

AYES—Senators Biggar, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Keating, Kuchel, Mayo, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, and Ward—33.

NOES—None.

Appointment Confirmed

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Daniel Judson Callaghan, Jr.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 28, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred the message from the Governor dated January 25, 1946, appointing:

THEODORE WEISSICH, as member, Board of Harbor Commissioners for Humboldt Bay, for the term prescribed by law;

GEORGE G. CLONEY, as member, Board of Harbor Commissioners for Humboldt Bay, for the term prescribed by law;

HARRY J. QUILL, as member, Board of Harbor Commissioners for Humboldt Bay, and as Secretary thereof, for the term prescribed by law;

Has had the same under consideration, and respectfully reports the same back, and recommends that the appointments of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 4; absent 1.

SEAWELL, Chairman

CONSIDERATION OF APPOINTMENTS BY THE GOVERNOR

Motion to Confirm Appointments by the Governor

Senator Seawell moved that the Senate confirm and consent to the appointment of Theodore Weissich, George G. Cloney, and Harry J. Quill, as members of the Board of Harbor Commissioners.

The President put the question, "Will the Senate confirm and consent to the appointment of Theodore Weissich, George G. Cloney, and Harry J. Quill?"

The roll was called, with the following result:

AYES—Senators Biggar, Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Jespersen,

Keating, Kuchel, McCormack, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—32.
NOES—None.

Appointments Confirmed

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Theodore Weissich, George G. Cloney, and Harry J. Quill.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 28, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred the message from the Governor dated January 25, 1946, appointing:

REVEREND THOS. H. MARKHAM, as member, Social Welfare Board, vice Mary E. Barkwill, for the term prescribed by law;

Has had the same under consideration, and respectfully reports the same back, and recommends that the appointment of the Governor be confirmed.
Committee membership 5; committee vote: Ayes 4; absent 1.

SEAWELL, Chairman

CONSIDERATION OF APPOINTMENT BY THE GOVERNOR

Motion to Confirm Appointment by the Governor

Senator Seawell moved that the Senate confirm and consent to the appointment of Reverend Thos. H. Markham as a member of the Social Welfare Board.

The President put the question, "Will the Senate confirm and consent to the appointment of Reverend Thos. H. Markham?"

The roll was called, with the following result:

AYES—Senators Biggar, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hulse, Jespersen, Keating, Kuchel, Mayo, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—36.
NOES—None.

Appointment Confirmed

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Reverend Thos. H. Markham.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 28, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred the message from the Governor dated January 25, 1946, appointing:

DONALD BOYD, as member, Agricultural Prorate Advisory Commission (representing peach interests), vice Mark G. Johnson, for the term prescribed by law;

ED MELIKIAN, as member, Agricultural Prorate Advisory Commission (representing grape interests), vice James Langford, for the term prescribed by law;

MAJOR W. S. EVERTS, as member, Agricultural Prorate Advisory Commission (representing commercial handlers), vice Preston McKinney, deceased, for the term prescribed by law;

Has had the same under consideration, and respectfully reports the same back, and recommends that the appointments of the Governor be confirmed.
Committee membership 5; committee vote: Ayes 4; absent 1.

SEAWELL, Chairman

CONSIDERATION OF APPOINTMENTS BY THE GOVERNOR

Motion to Confirm Appointments by the Governor

Senator Seawell moved that the Senate confirm and consent to the appointment of Donald Boyd, Ed Melikian, and Major W. S. Everts as members of the Agricultural Prorate Advisory Commission.

The President put the question, "Will the Senate confirm and consent to the appointment of Donald Boyd, Ed Melikian, and Major W. S. Everts?"

The roll was called, with the following result:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Keating, Kuchel, Mayo, McCormack, Mixter, Parkman, Powers, Quinn, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—32.

NOES—None.

Appointments Confirmed

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Donald Boyd, Ed Melikian, and Major W. S. Everts.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 28, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred the message from the Governor dated January 26, 1946, appointing:

LEE F. PAYNE, as member, Fish and Game Commission, vice self, for the term prescribed by law;

Has had the same under consideration, and respectfully reports the same back, and recommends that the appointment of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

CONSIDERATION OF APPOINTMENT BY THE GOVERNOR

Motion to Confirm Appointment by the Governor

Senator Seawell moved that the Senate confirm and consent to the appointment of Lee F. Payne as a member of the Fish and Game Commission.

The President put the question, "Will the Senate confirm and consent to the appointment of Lee F. Payne?"

The roll was called, with the following result:

AYES—Senators Biggar, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Keating, Kuchel, Mayo, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Swing, Tenney, Ward, and Weybret—36.

NOES—None.

Appointment Confirmed

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Lee F. Payne.

MOTION TO PRINT PARTIAL REPORT

Senator Brown moved that the Partial Report of the Senate Committee on Local Governmental Agencies be printed in the Journal.

Motion carried.

PARTIAL REPORT OF THE SENATE COMMITTEE ON LOCAL GOVERNMENTAL AGENCIES

Partial Report Concerning Application of City of Los Angeles for Purchase of Federal Lands in Mono County

October 19, 1945

Introduction

This committee, created by Senate Resolution No. 35, adopted January 23, 1945, and continued by Senate Resolution No. 129, adopted June 16, 1945, is charged with the duty of studying the intergovernmental relationships which arise when a city or county, in the development of utilities for the service of its inhabitants, acquires and operates extensive properties and facilities outside of its territorial boundaries, and of recommending to the Senate such needed changes in the law as the study may indicate.

In the course of this study the committee had occasion to conduct hearings at Bridgeport on August 30th and at San Francisco on September 15, 1945, at which evidence was presented on behalf of the County of Mono and its residents and on behalf of the City of Los Angeles and its Department of Water and Power, concerning certain applications of the latter to the United States Department of Interior, General Land Office, for the purchase of certain lands in Mono County, California, under the provisions of an act of Congress approved June 23, 1936, 49 Stat. 1892.

This statute grants to the City of Los Angeles the right to purchase, for $1.25 an acre, all Government lands in Mono County "which may be *necessary,* as found by the Secretary of the Interior, for any or all" of certain specified purposes, or "any other necessary purposes of said city." As to lands that are situate in a National forest, the approval also of the Secretary of Agriculture is required.

This is a grant of title in fee with reservation only of minerals other than sand, stone, earth, gravel and other materials of like character, subject to defeasance if and when the land ceases to be used for the purposes for which granted.

There are two applications: Sacramento No. 036130, for the acquisition of 23,851.6 acres of land in Mono County, including approximately 5600 acres of National forest land; and Sacramento No. 036149, for rights of way for Mono Basin Aqueduct and appurtenances now covered by permits issued by the Government in 1937.

As to Application No. 036130, the purposes for which the city claims that these lands are severally necessary may be summarized as follows:

(1) For physical use by the city:

(a) Reservoir sites at Grant Lake (II-53-57),* Aeolian Buttes Reservoir (II-57, 58), East Portal area for aeration of water to remove CO_2 (II-59), Hot Creek area for spreading of water that has a high boron content (II-93), and in the Fish Slough area (II-97);

(b) A dam site at Grant Lake (II-55-57);

(c) The deposit of debris from a tunnel at West Portal (II-57, 58); and

(d) A tunnel site between Rock Creek and the Gorge (II-93).

* The pages of the transcript of the committee's hearing at Bridgeport, August 30, 1945, are numbered 1 to 189. Those of the hearing at San Francisco, September 15, 1945, are numbered 1 to 122. For convenience of reference, the transcript of the hearing at Bridgeport is designated Volume I, and that of the hearing at San Francisco, Volume II.

Accordingly, the designation "II-53-57" is a reference to pages 53 to 57, inclusive, of Volume II of the transcript.

(2) For sanitary protection, prevention of pollution, upon lands in the vicinity of Grant Lake (II-55-57), lands to the west and lands to the south of Lake Crowley (II-93), and lands in the northern area of Long Valley (II-94).

(3) For protection from claims which owners of certain lands might some time assert against the city concerning its diversion and use of water, in case such lands are hereafter opened for entry and sold into private ownership. These are:

(a) Lands littoral to Mono Lake which might suffer a recession of water or a subsequent raising of the level of waters of the lake as a result of the city's use of tributary streams (II-49-53, 55-57, 77, 78);

(b) Lands riparian to Leevining Creek (II-53, 54), Rush Creek (II-54, 55), Deadman's Creek (II-59, 92), and Rock Creek (II-93, 94), not only for flowage rights but also for the taking of water from these streams at points above these lands; and

(c) Certain lands on or near Deadman's Creek, to prevent claims arising from a possible drying up of springs which may result from the works of the city, particularly its tunnels (II-63).

Acquisition of Title in Fee Not Necessary for Adequate Protection of the City's Interests

There is posed, as to each parcel of land applied for, the question of necessity. Is that parcel *necessary* for the indicated purposes of the city?

If in a given case some interest in or use of the land is found necessary, there arises the question whether a title in fee is necessary or if some lesser interest, such as a right of way, a license, a permit, an easement or other suitable commitment upon the part of the United States, may serve the indicated purpose.

The burden of showing this element of necessity rests, of course, upon the applicant. There is no burden upon the Government or upon any other person to demonstrate the lack of such necessity. For statutory grants of public lands are construed most favorably to the Government. Nothing passes by intendment or implication except what is essential to the enjoyment of the thing granted. (42 Am. Jur. 812.)

It does not appear to this committee that the city needs the fee title to any of the lands which it has selected, for any of the purposes which it has indicated.

Reservoir sites, dam sites, and other physical uses of land mentioned in paragraph (1), above, seem well within the scope of permits, licenses, and privileges which the appropriate Governmental agencies may grant under existing provisions of law. We have in mind the very extensive permit and regulatory powers of the Secretary of the Interior under Section 524 of Title 16 and Section 959 of Title 43 of the U. S. Code; those of the Secretary of Agriculture in respect to National forests, under Sections 471, 472, 522, 551, and 552a-552c of Title 16 of the U. S. Code; and of the Federal Power Commission, as to water power projects, under Sections 791a-825r of Title 16 of the U. S. Code.

Significant in this connection is the decision in *Swendig* vs. *Washington Co.*, 265 U. S. 322, that under appropriate regulations of the Secretary of the Interior subsequent patentees of lands over which rights of way have been granted pursuant to 43 U. S. Code 959, take subject to

those rights of way even though the patents are absolute in form and contain no reservations or exceptions.

As to lands assertedly needed for sanitary protection, there is no showing of an existing condition that needs rectifying. The grazing of livestock does not create any such condition (II-115). It is said that the presence of inhabitants in an area might pollute a stream if there were a lack of sewage disposal facilities (II-115). If upon Government land, there is and can be no presumption that the appropriate administering agency of the Government would fail to impose and enforce adequate sanitary requirements. Should any of that land go into private ownership, State and local sanitary regulations would become applicable and render any policing by the City of Los Angeles unnecessary. Moreover, it is difficult to see what interest the City of Los Angeles has in the sanitary protection of lands that are littoral to Mono Lake. It draws no water from that lake.

As to littoral lands and riparian lands, it would seem unreasonable and quite unnecessary for the Government to grant to the city the entire ownership in fee merely to save the city harmless from possible future claims by subsequent patentees of those lands should they assert claims against the city relative to the diversion or manner of diversion and use of the waters of tributary streams. That is the piling of speculation upon speculation in the search for a present, existing element of necessity.

If protection from such claims is needed by the city, it could be amply afforded, simply and directly, by a commitment from the Government, as against these lands which it now owns, that the city may conduct its diversions from these tributary streams in the manner described. No subsequent grantee of these lands could then complain. Such commitments presumably already have been given under the provisions of the Congressional Acts of July 26, 1866, and March 3, 1891 (R. S., Secs. 2339 and 2340; 30 U. S. Code 51 and 52, and 43 U. S. Code 661). Those acts provide that whenever, by priority of possession, rights to the use of water have vested and are recognized by the local customs and laws, the owners thereof shall be maintained and protected in the same, and all patents granted or homesteads allowed shall be subject thereto. The same would apply to any springs which the city might tap or dry up in the development of its water supply.

Even if a conveyance of title were deemed necessary to accord the city the desired immunity from claims of subsequent patentees of littoral or riparian lands, no particular quantity of land need be granted. A narrow strip of land (two, three, or four feet wide) along the bank of the stream or along the shore of the lake would suffice. For that would deprive the remainder of the lands, claimed under this category, of their littoral or riparian character and rights. If such a course were to be considered, it would seem much better for the Government to retain such a strip if and when it opens the land for entry. It could then accord its patentees access to the stream or lake without granting them any right to interfere with the city's diversion and use of the waters of the stream or of tributary streams.

Moreover, as concerns land littoral to Mono Lake, the desired protection would be quite incomplete. Mono Lake is a navigable body of water and the State of California owns all of the bed thereof up to the low-water mark (*City of Los Angeles* v. *Aitkin,* 10 Cal. App. (2d) 460,

466). Ownership of the littoral lands would not seem to avail the city any protection from claims which might be asserted by the State or its grantees, based upon a recession of the waters of the bed of the lake.

In any event, title in fee does not appear necessary for adequate protection of the city, in respect to its diversion and use of water, from any claims which subsequent patentees of any of these littoral or riparian lands might assert.

It is, also, the expert opinion of Mr. Roy Boothe, who for many years until his retirement in June, 1945, was an official of the National Forest Service, serving in this area and vicinity and thus thoroughly familiar with all relevant facts and circumstances, that the machinery exists whereby the City of Los Angeles could acquire permits for its needs on Forest Service lands; that the city's interests can be fully protected by the type of permits that the Government can issue and has issued over a period of 40 years under the Forest Service; that there are a number of power companies, including the Edison Company of California and many of the biggest power companies in California, that are operating under permits, easements, rights of way, and special use permits; that the city has a number of special use permits and rights of way from the Forest Service, rights of way for telephone lines and power transmission lines, and for tunnels to the end of Long Valley; and that he does not know of the city ever having been denied an easement or right of way or anything like that, sought by it from the Forest Service (I-98-101).

The nature and scope of the city's existing rights of way and permits are indicated, in part at least, from its other pending application, Sacramento No. 036149, and the accompanying maps. These indicate that rights of way and easements have been granted the city by the Secretary of the Interior and the Secretary of Agriculture, and that these rights of way have been approved by the Federal Power Commission. The application is for title in fee under the Act of June 23, 1936. They comprehend a conduit from Leevining Creek to Grant Lake, traversing in part the Forest Reserve administrative site in Sections 17 and 20, T. 1 N., R. 26 E., and from Grant Lake to West Portal; Mono Craters Tunnel from West Portal to East Portal; Grant Lake Reservoir site; various adjuncts including roads, water supply lines and telephone lines; and a telephone right of way, 100 feet wide wherever it crosses Government land, for a considerable distance along the line of Highway No. 395, apparently in large part covering the highway right of way.

There is no reason apparent to this committee why these easements and rights of way are not entirely adequate to the city's needs, to the full extent of the privileges and uses which they accord; no reason why the city has need of ownership in fee. It would, indeed, seem incongruous for Government to grant in fee any portion of its Forest Service administrative site or any parcel of land devoted to a public highway, when the easements the city now has adequately serve its uses and purposes.

Adverse Effect of the Proposed Acquisition Upon Other Vital Interests

Thus far we have discussed the applications from the standpoint of the needs of the city. There are other needs and interests also to be considered. There are the needs and interests of the United States as sovereign and as trustee of a great natural resource; those of the County

of Mono, where these lands are situate, and of its people who reside and make their living there; and those of the many citizens, constantly growing in number, who visit there during the summer or the winter season to make use of the recreational resources and facilities which this area abundantly affords, fostered and encouraged by the administrative Governmental agencies in charge.

These elements of need should be considered, too, in the light of the very general and all inclusive statement of purposes for which the Act of June 23, 1936, grants lands in fee ("any other necessary purposes of said city"), if found necessary for any of those purposes. It is thus not confined to the purposes of the Department of Water and Power, nor to the purposes of water or power development. It extends to recreational and other purposes of the city, has no presently definable boundary, no delimitation as to scope, save that it be a "necessary purpose" and that title in fee, not some lesser interest, be found "necessary" to the attainment of that purpose. Well is it that Congress committed the decision to the wise and sound discretion of the Secretaries of the Interior and of Agriculture, over the lands respectively in their charge.

The effect upon permittees now using any of these lands is immediate and critical. There are involved, in addition to grazing permits, at least 30 special use permits, principally residential but including not less than three commercial, with a total assessed valuation of $36,625 for improvements, more than the city would be paying for the entire 23,851.6 acres applied for.

These permits are upon an annual basis. The payment of the annual fee is considered by the Forest Service a renewal of the permit. Renewal, theoretically, could be refused at the end of the year but in fact the permit continues indefinitely as long as the permittee lives up to its terms, unless terminated for a higher use. People have gone in and made their investments relying upon the policy of the Forest Service rather than upon any legal right of renewal. The witness Boothe does not remember a single commercial permit being cancelled during his more than 30 years with the Forest Service. He states that the permittees were practically as stable in their occupation of those premises as though they owned the land. It is the policy of the Forest Service that cancellation, other than for a higher use, would have to be for a violation of the terms of the permit. (I-70, 71, 85, 86, 103, 104)

Dependent thus upon official policy for continued occupation, these permittees are naturally concerned and alarmed over the prospect of having a new landlord with new and unknown policies, perhaps changing policies. Phebe A. Carson, who with her husband has the boat concession at Grant Lake, testifies they have had this permit for four years and that it has been in the Carson family for 25 years; it is their sole source of income; if the city acquires the land, the property and business which they have been building up for 25 years will be completely at the mercy of the city. Asked if she is not now at the mercy of the Forest Department, she responded "I would say very kind mercy for 25 years." (II-116-117)

J. A. Cashbaugh, a stock raiser, grazes cattle in Mono County during the summer months under the Taylor Grazing Service and under the Forest Service and on private land. If the city's application for the land which he thus uses is granted, it would cut down his carrying

capacity. He could not maintain his stock at its present level unless arrangements could be made to lease the land from the city. He is opposed to the granting of the application for he does not know if he would ever have the privilege of renting it or not and believes it would depreciate the value of his own adjacent lands. He has been in the cattle business here for about 25 years; has been in the cattle business in Inyo County for 40 years; is familiar with the leases made by the city in Inyo County, has some of them himself, and knows the difficulties the cattlemen in Inyo County have had with the city in the last few years. He does not think he would get the same benefits he does from the Forest Service if the city acquired the land. He would be glad to get that land and pay more than $1.25 an acre for it, would be glad of an opportunity to compete for buying of it. (I-126-140)

Three Forest Service permittees engaged in business at the Town of Leevining testified at our Bridgeport meeting as to their interest and concern. Thereafter and prior to our meeting at San Francisco the city amended its application to exclude therefrom the Leevining Townsite lands. Nevertheless, the testimony of these witnesses significantly indicates the bearing and effect of this application upon any permittee on lands still included.

Bill Banta has lived at Leevining for 13 years, engaged in business there 11 years. He has an auto court, 14 cabins and a home on Government permit; also has three and a half acres of his own adjoining, used in connection with it. The Government land fronts on the road, the other does not. He has an investment of $15,000 on the Government land and pays $75 a year for the site. His relations and dealings with the Forest Service have always been excellent. He was raised in Owens Valley on his father's ranch, which later was sold to the city and then leased back from the city for a time. Feeling insecure, he moved to Mono County, having always felt that leases from the Forest Service are secure. He has this lease from the Forest Service and it seems to him that if this application goes through there would be a lot of people that would think about this matter. Here is a municipality coming in and taking over Forest Service lands. It doesn't seem like it is the right thing. He raised his family here in Leevining, raised his boys who went through school here and then down in Owens Valley to high school, and now one of them is across the sea in the armed services. He has made his living here. The investment is his but if the city buys the land he won't have any lease on it. He can move his personal things off. That is the way he understands it, knows that he just leased it, but he felt secure with the Forest Service and invested that much money. It is his boy's intent to come back and into the business and to take over after the witness has passed on. He considers his Forest Service land a valuable frontage; would buy it for almost any amount of money, up to four or five thousand dollars, to avoid losing his $15,000 investment. (I-141-152)

Harry Blaver operates a general store and meat market on Government land at Leevining, a lot 150 feet by 60 feet for which he pays $50 a year. His investment including stock is about $20,000, the building and fixtures about $12,000. He came there in 1941. His home is on a separate Forest Service lot and represents an investment of $2,000. He is married and has two minor children; lives there throughout the year and makes his livelihood there. Until this application was made by the city he was

looking forward to remaining there and conducting his business and living in this community. When he purchased this property he knew it was under lease subject to termination annually by the Forest Service, but he figured that the land was practically his, the same as Mr. Banta. Leases have not been canceled by the Forest Service and no unnecessary limitations have been made upon his activities. He has several neighbors with families, living on Government land and engaged in business there. They have schools and a community life. If he could compete for the purchase of his business site he would be willing to pay up to $4,000 or $5,000 for it, and for his home site as much as $1,000. (I-153-168)

Mrs. Julio Zunino and her husband operate a cafe and cocktail lounge at Leevining, on privately owned property under lease, having an investment of $30,000 in stock and equipment. Their home is on Forestry land, for which they pay $15 a year, and represents an investment of $3,500 or $4,000. They have been here for nine years and have two adult sons. Though the home site is small, they enjoy the use of a large area, walking, fishing, and hunting on the adjoining Forestry lands. Other families do the same. (I-169-174)

In respect to the Rock Creek area, still included in the city's application, one of the commercial sites represents a very substantial investment. It is know as Tom's Place. The witness Boothe testifies that it covers approximately eight acres, for which the annual fee is $125, which the city would be buying for $10, land that is worth at least $8,000. (I-74, 78-80) The witness Gene Crosby describes it as having a hotel, gas station, store, restaurant, and 18 or 20 cabins, and states that it was sold recently for the price, reportedly, of $80,000. (I-177-180)

The summer homes along Rock Creek, over 20 in number, represent investments averaging $1,000 each, some greatly exceeding that amount, and none less than $500 (I-110).

It is not alone the effect that the proposed transfer of ownership would have upon the present holders of permits, however grave that may be, that is a matter of great Federal and State concern. It is also the probable effect upon the development or retardation of the community, economic, and recreational life of Mono County and its people.

According to the witness Boothe there is a rapidly growing demand for special use permits, particularly for summer homes. The Government restrictions upon construction have stopped all building of summer homes during the past four years but now that the war is over there will be an increase. There will be quite an increase in the Rock Creek area if the Forest Service continues to handle it. There is plenty of demand. (I-89, 90) During the last year or two the Inyo National Forest has received 10, 15 or 20 applications to one that it received before. But the sites available for permits would be limited by the amount of forest lands acquired by the city. If this process were continued it is conceivable that in a few years the Forest Service would not have left very many valuable sites. (I-108, 109) The sites most desired are those along a lake front or on or near a stream, for fishing and for the beauty of the streams and lakes. If those sites are excluded from the forest, there would not be any choice sites in the vicinity because of the lack of access to water. There are other areas that might be developed but

you could not take the heart out of a recreational area and expect development to go on. (I-109, 112-114) If 20 or 30 of those who have made such an investment should find it wiped out by the granting of the city's application, it would have a deterrent effect upon people contemplating the taking up of cabin sites. It would break down the tendency of people to come in and make investments. (I-110-112)

Nor is it solely recreational enterprises and activities that are involved. There is extensive grazing of livestock upon or in connection with Government land (I-71-77, 86-88, 91-93), which also would be curtailed. Timber cutting upon forestry lands is another activity which would be affected (I-93-95). And the county assessor testifies that there is a lot of land in the county that could be put into alfalfa if water were available, a good many thousand acres (I-54, 55).

The proposed acquisition and its consequences would also seriously hamper the carrying out of any policy which the Government might later consider for the opening of lands to entry in furtherance of the development of this area.

This is accentuated by the general and all-inclusive purposes for which the city may acquire Government lands in Mono County, not limited to water and power development. The City's Park and Recreation Department already has a recreational project on city property at Crowley Lake (I-34) and another at Mammoth on 30 or 40 acres of city property and three or four acres of forest land, where meals and living accommodations are furnished on a cost basis, supposed to be open only to people who make their reservations at Los Angeles (I-95-97).

There are no foreseeable limits to the acreages of land which the various departments of the city might in the course of time apply for, in view of the general purposes expressed in the statute and the fact that the Government owns over two-thirds of the lands in Mono County. While it is a fact that the officials of the Deparment of Water and Power are of the opinion that the pending applications cover all of the land which they can foresee their department may have or conceive a need for, it is also a fact that they do not speak for any other department of the city (II-108-109).

Not only would there be this deterring and throttling effect upon private enterprise and the economic development of the resources of Mono County. There is also a grave threat to the financial structure of the county government. The United States owns over two-thirds of the land in the county. In the Government's hands these lands are non-taxable but the county receives substantial revenues in lieu of taxes. Twenty-five per cent of the receipts from each National forest are paid annually to the State for the benefit of the public schools and roads of the county (16 U. S. Code 500). In this State, such revenues are divided equally between the schools and the roads of the county (Deering's Gen. Laws of Cal., Act 2685). Fifty per cent of the moneys received under the Taylor Grazing Act are paid to the State for expenditure as directed by the State Legislature for the benefit of the counties whence derived (43 U. S. Code 315i). In this State these moneys are expended in part for the schools of the county and in part for the benefit of the grazing district (Deering's Gen. Laws of Cal., Act 6352e). Any such revenues derived or derivable from lands acquired by the city would forever cease, and the lands would continue nonassessable. The privately owned improvements now upon

those lands would probably continue taxable so long as the city continues to renew the permits, but new improvements constructed by the city itself would not be taxable.

At our San Francisco meeting the representatives of the city stated that it is the policy of the Department of Water and Power not to disrupt the occupants of special use permits but to allow them to continue on the lands and to pay the city the same rentals they have been paying to the Forest Service; that this is the established policy of their department now; that they would enter into leases for five years instead of but one year. They concede that this policy could change with changes in the city's official personnel but suggest that the Forest Service also could change its policy. (II-94-97, 105, 106) The city expects to continue the grazing permits (II-101) and has always permitted fishing and hunting on its property (II-103). It is its policy to renew leases for grazing purposes at a negotiated price with tenants; formerly three, or five-year leases (II-104). It will be the policy of the city, as far as can be ascertained or assured with the continuation of its present board members, that the people in Mono County who are affected will be treated in the same way as they have been in the past by the Federal Government (II-118-120).

This is a most commendable policy, but we entertain serious doubt concerning the ability of the present officials of the city to assure permanent observance, because of inevitable changes in personnel from time to time. Nor can the officers of the Department of Water and Power give assurances as to the policies of other departments of the city which might seek to acquire lands in Mono County.

It does not seem possible that the city could allay the fears of the people of Mono County or build up confidence equal to that now reposed in the Federal agencies, a confidence built up during and based upon many, many years of just and fair dealing and impartial administration. In seeking to inspire and maintain like confidence upon the part of the local public the city's officials would be handicapped by the fact, and the knowledge of the fact, that the city has a potentially conflicting proprietary interest in the very lands which it undertakes to administer in the public interest. The Federal officials are hampered by no such conflicting interest. They are wholly free to administer these great natural resources in the interest of all the people, protecting and fostering the interests of the city and those of the locality alike, equally and impartially.

Moreover, the history of the city's operations in Inyo County furnishes no basis for expectation that it could and would in Mono County consistently pursue the policy which it now announces. In Inyo County the city, for the use and enjoyment of the appurtenant water rights, acquired the greater portion of the lands that were privately owned, and then leased out those lands for grazing and other uses consistent with the development of its water project. For some years its relations with its tenants were entirely amicable but a recent change in policy resulted in relations which have become decidedly strained, as indicated in greater detail in the report of this committee to the California Senate rendered in April of this year and printed in the Senate Journal for April 20, 1945, at pages 2044 to 2049. As a result of its study of the Inyo County situa-

tion this committee recommended and the Legislature of California enacted legislation imposing regulations and standards to be observed by a municipality in the leasing or selling of real property acquired by it in another city or county, when it holds more than half of the privately owned land in such other city or county (Cal. Stats. 1945, Ch. 1343).

Conclusion

It would seem, therefore, to the committee that title in fee is not "necessary" for any of the purposes of the city under the statute; that the city can be amply protected by specific easements, rights of way and other suitable commitments; and that it is to the interest of the Government, the County of Mono and its people, the general public, and the city itself, that the United States retain title to these lands and continue with the administration of this trust.

October 19, 1945.

Senate Committee on Local Governmental Agencies

CHARLES BROWN, Chairman
BRADFORD S. CRITTENDEN
JESSE M. MAYO
GEO. J. HATFIELD

MOTION TO PRINT MINORITY REPORT

Senator Tenney moved that the Minority Report of the Senate Committee on Local Governmental Agencies be printed in the Journal.

Motion carried.

PARTIAL REPORT OF SENATE COMMITTEE ON LOCAL GOVERNMENTAL AGENCIES

Minority Report Concerning Application of City of Los Angeles for Purchase of Federal Lands in Mono County

I. Introduction

The hearings before the Senate Committee on Governmental Affairs, held in Bridgeport August 30th and in San Francisco September 15, 1945, were called for the purpose of inquiring into the application by the city to purchase certain public lands situate in Mono County, pursuant to an Act of June 6, 1936, entitled:

> "An act authorizing and directing the Secretary of the Interior to sell to the City of Los Angeles, California, certain public lands in California; and granting rights-of-way over public lands to the City of Los Angeles in Mono County in the State of California."

It appears that the City of Los Angeles, through its Department of Water and Power, has filed two applications (Sacramento Nos. 036130 and 036149) with the General Land Office for the acquisition of certain public lands in Mono County in connection with the Mono Basin extension of the Los Angeles Aqueduct. Application No. 036130 was filed for the purpose of accomplishing the purchase of 23,851.68 acres situate in Mono County, and Application No. 036149 was filed for the purpose of acquiring rights-of-way upon which the works of the Mono Basin extension of the Los Angeles Aqueduct were located.

At the hearing in Bridgeport the city announced that it had not received sufficient notice to enable it to prepare for the hearing and that it was not in a position to present any evidence. The hearing was devoted to the testimony of witnesses called by protestants to the application who were interrogated by Mr. Walter H. Evans, District Attorney of Mono County, and, in a major part, to comments by the members of the committee. The city, through its counsel, Francis H. Lindley, Assistant City Attorney, and C. T. Waldo, Deputy City Attorney, limited its participation in the hearing to cross-examination of the witnesses and to replies to comments by members of the committee.

At the hearing held in San Francisco on September 15th, the city presented evidence through the General Manager and Chief Engineer of the Department of Water and Power, Samuel B. Morris, and Paul W. Ritch, Resident Engineer in Owens Valley. District Attorney Evans again represented the protestants, and Francis H. Lindley, Assistant City Attorney, appeared in behalf of the City of Los Angeles. A substantial part of the hearing was consumed by questions and comments of the members of the committee.

II. Outline of Protestants' Case

A. Acquisition of 80 Per Cent of Land in County

The protestants contended that by virtue of said Act of June 23, 1936, the city could acquire 80 per cent of the lands of Mono County inasmuch as 80 per cent of the area of said county was composed of public lands and said Act of 1936 was applicable to all public lands lying within Mono County.

B. Loss of Tax Revenues by County

The protestants, through the testimony of the Assessor of Mono County, produced evidence that the total assessed valuation of improvements constructed under government permits on public lands within Mono County was in the order of $419,624; that if such land was acquired by the city the county would suffer a corresponding loss of tax revenues.

C. Value of Land Sought to be Purchased by City

The Assessor of Mono County further testified that in his opinion the average value of the land sought to be purchased by the city was between $19 and $20 an acre. This valuation was arrived at by computing the average assessed value of the land owned by the city in Mono County and applying such average value to the area sought to be purchased. This formula was predicated on the assumption that the two groups of land were comparable in value.

Other witnesses, mainly those who were permittees in the town of Leevining, expressed opinions that the land sought to be purchased by the city and which such witnesses occupied under permits, was worth substantially in excess of the $1.25 per acre which the Act of 1936 provided as the purchase price for such land by the city.

D. Special Use Permits

Ray Boothe, Executive Secretary of the Bishop Chamber of Commerce and former Supervisor of Inyo National Forest, testified that there were a number of permits issued to resort owners in the area sought to be purchased by the city and owners of summer residences, chiefly in the

Rock Creek area; that such permits are subject to termination annually but that the policy of the Forest Service is to continue permits indefinitely as long as the permittees conform to the conditions of the permits. Such permits, however, are subject to termination for a higher use.

The protestants then took the position that the purchase of these lands by the city would result in permittees being evicted from the areas upon which the improvements were located. Several permittees testified respecting the great hardships and financial losses that would result from such evictions.

It was the opinion of Mr. Boothe that the city's interests could be fully protected by obtaining special use permits rather than by purchase of the lands in accordance with said applications.

E. Grazing Leases

The protestants brought out through testimony of witnesses that large areas of the forest reserve land were leased for grazing purposes and, in the event grazing leases were discontinued, the cattle owners would be detrimentally affected.

III. Outline of City's Case

A. Exclusion from Purchase of Leevining Town Lots

Under the original application (No. 036130) the area sought to be purchased included certain lands situate in the town of Leevining. It appeared from the evidence at the Bridgeport hearing that certain permittees had constructed improvements on some of the area in the town of Leevining which was included in said application. At the hearing in San Francisco the city introduced into evidence an amended application which differed from the earlier application in that it excluded from the area sought to be purchased, any land lying within the town of Leevining. The city explained in connection with this amended application that a rule of the General Land Office provided that no sales would be made in smaller geographical units than 40 acres, and that although the city's requirements could be satisfied without the inclusion of the town lots, it was felt by the city that it was desirable to conform with the rule in preparing the application, under the assumption that the Land Office would eliminate, in its sale to the city, that portion of the lands applied for lying within the town area and which were not necessary for the city to acquire.

Subsequent to the filing of the original application, but prior to the hearing held on August 30, 1945, at Bridgeport, the city discussed the question of eliminating excess area from the application with representatives of the Land Office and of the Forest Service. From such discussions it appeared that it would be proper for the city to file an amended application for the purchase of lands, excluding all lands lying within the area of the town of Leevining. Consequently, the amended application was filed and the lands now sought to be purchased by the city do not include any land in the town of Leevining.

B. Assessed Valuation of Improvements on Lands Sought to be Purchased

The Assessor of Mono County testified at the Bridgeport hearing that the total assessed valuation of all improvements constructed under gov-

ernment permits was in the amount of $419,624. The city, at the San Francisco hearing, introduced into evidence a tabulation showing that the total assessed valuation of all improvements located on public lands sought to be purchased by the city was in the amount of $36,625, or between one-eleventh and one-twelfth of the total assessed valuation of improvements on all public lands in Mono County.

C. Limitations on Land Acquisition by City

(1) Legal Limitations

An analysis of the 1936 Act under which the city is proceeding to acquire the lands in question clearly reveals the absurdity of protestants' contention that the city can and probably will acquire all of the public lands situate in Mono County, which public lands constitute 80 per cent of the total area within said county. The 1936 Act provides in part as follows:

> "* * * That there is hereby granted to the city of Los Angeles, a municipal corporation of the State of California, all lands which belong to the United States situated in Mono County, California, which may be necessary, as found by the Secretary of the Interior, for any or all of the following purposes:
>
> "Rights-of-way; buildings and structures; construction and maintenance camps; dumping grounds; flowage, diverting or storage dams; pumping plants; (then continues a further enumeration of the purposes related to construction and operation of water and power systems) or any other necessary purposes of said city * * *."

Such lands then may be granted to the city only upon a determination by the Secretary of the Interior that such land is necessary for the purposes enumerated in said act, all of which purposes are directly related to the construction and maintenance of a water and/or electrical system. Such applications are never granted as a matter of course and the applicant is required to make a full and complete showing in order to convince the secretary of the necessity of the acquisition of the lands applied for. In the instant application, representatives of the Forest Reserve, of the grazing agency, and of the General Land Office have made thorough investigations respecting the desirability of the city acquiring the lands applied for. Thus, the suggestion that the city, under the 1936 Act, can acquire such public lands as it deems desirable is utterly without merit.

The protestants, in support of their contention that the city could acquire those lands which it desired, seized upon the clause "or any other necessary purposes of said city" as authority for the city to acquire lands solely for recreational purposes or for any purposes which the city deemed desirable. The city's position is and was that under the doctrine of *ejusdem generis* such clause is limited to purposes similar to those enumerated in the act itself. The doctrine is explained at p. 755 of 23 Cal. Jur., as follows:

> "The doctrine of '*ejusdem generis*' simply means that where general and specific words, relating to the same things are associated together, they take color from each other, and the general words are restricted to a sense analogous to that of those less general. In

accordance with this doctrine, general words which follow the enumeration of particular classes of persons or things are construed as applicable only to persons or things of the same general nature or class as those enumerated. Thus, where an enumeration of several classes of persons or things is immediately followed by a clause embracing 'other' persons or things, the word 'other' is ordinarily read as 'other such like.' In such case the particular words are regarded as having been inserted for the purpose of describing certain species and the general genus. The rule, it has been said, is founded upon the reason that, if the general words were intended to prevail in their full and unrestricted sense, the special words would not have been employed at all. The rule is applicable to penal statutes.

"The doctrine of *ejusdem generis* is but a rule of construction to aid in ascertaining the meaning of the Legislature, and may be used to carry out, but not to defeat, the legislative intent. Thus if it can be seen that a particular word following a general word was inserted for a distinct object, and that, to carry out the purpose of the statute, the general word ought to govern, the *ejusdem generis* rule should not be applied. The doctrine must also yield to the rule that every part of a statute should, if possible, be upheld and given its proper force."

Thus, it follows that the clause "or any other necessary purposes of said city" does not authorize the acquisition of lands except for purposes directly related to the construction and operation of water and/or electrical systems.

(2) Limitations by Policy

Mr. Samuel B. Morris, General Manager and Chief Engineer of the Department of Water and Power, testified at the hearing on September 15, 1945, that the foreseeable needs of the city did not require the further acquisition of public lands in Mono County. Indeed, Mr. Morris stated that the city would have no objection to the repeal of said Act of 1936 in the event the city were permitted to purchase the lands presently applied for, for the reason that, as hereinabove indicated, the city would have no further requirements for public lands in Mono County.

From the foregoing it is obvious that the charge that the city has intentions of acquiring any more public land in Mono County is a pure fabrication on the part of the protestants to the applications.

D. Value of Property

The city's position in respect to the evidence adduced by protestants that the price of $1.25 an acre (purchase price provided for by Act of 1936) was substantially less than the cash value, was as follows: That in some limited areas the market value of the land is substantially in excess of $1.25 an acre but, taking the area sought to be purchased in its entirety, the value is not substantially in excess of $1.25 an acre; that it would serve no useful purpose for the city to refute the exaggerated values placed by the protestants on the property to be purchased by the city. A protracted refutation would be necessary in order to evaluate the numerous areas involved and, in some instances, to refute the values testified to by witnesses at the Bridgeport hearing on individual parcels.

Actually, the question of whether or not the charge of $1.25 per acre represents the reasonable market value of the property is not relevant to the inquiry in view of the fact that such charge is in accordance with a well-established policy of the government. Congress has determined in its wisdom, by enacting the Desert Land Act, the 1906 Act, and the 1936 Act, that the public lands shall be sold at $1.25 per acre.

Indeed, the protestants produced evidence to the effect that the government merely charged a nominal rental on public lands and cited as an instance Tom's Place, a resort which is leased by the Forest Service for only $125 per year, although the improvements are reported to have sold recently for $90,000. Undoubtedly the resort produces large revenues to the owner thereof, and if such revenues were reflected in the rental charged by the government, such rental would be substantially in excess of $125 per year. The protestants, with strange inconsistency, voiced no objection to the government's policy of charging only nominal rentals for private use of the public lands, even for commercial purposes, but attacked vehemently, as a fraud on the public, the provisions of the 1936 Act which permits the city to purchase public lands for a public use at a nominal price (as indicated above, taking the area sought to be purchased in its entirety, the market value of the land is not substantially in excess of $1.25 per acre).

E. Lands Sought to Be Purchased Generally Are Not Susceptible to Agricultural Development

It was intimated by protestants that in the event the city were not permitted to purchase the lands applied for and in the further event such lands were opened for entry by a repeal of the Act of March 4, 1931, withdrawing certain public lands in Mono and Inyo Counties from settlement or entry, there would be a tremendous influx of settlers who would settle on such lands and turn them into a rich and fertile area. The city, through the testimony of Mr. Paul W. Ritch, Resident Engineer in Owens Valley, demonstrated that, with minor exceptions, the lands sought to be purchased were not susceptible to farming on an economic scale.

F. Necessity of Acquisition of Lands by City and Description of Uses to which such Lands will be Devoted

Mr. Morris testified that acquisition of the lands was necessary for the following purposes:

(1) To obtain fee title to areas where works are constructed or will be constructed;

(2) To obtain areas surrounding reservoirs for protection against pollution;

(3) To obtain areas upon which to spread water for the purpose of eliminating boron and CO^2;

(4) To obtain land riparian to certain streams and to Mono Lake so as to prevent the assertion of riparian rights against the city in the event the city diverted water from the streams affected or from Mono Lake; and

(5) To acquire flowage rights so as to permit the return of water after diversion.

In answer to the contention of the protestants that the city's requirements could be fulfilled by obtaining special use permits rather than by purchasing the lands, the city brought out through Mr. Morris that special use permits are inadequate for two reasons:

(1) That, inasmuch as permits are subject to termination at the discretion of the Forest Service, the city would not be justified in making substantial investments for permanent structures on lands, the use of which was acquired through special use permits;

(2) Special use permits cannot be granted for some of the uses to which the city seeks to devote the lands. Such uses are: (a) prevention of the assertion of adverse rights and acquisition of flowage rights, and (b) protection against pollution.

G. Policy of Board of Water and Power Commissioners to Encourage Recreational Activities

(1) Special Use Permits

As stated under paragraph II, the protestants asserted that the acquisition of the lands in question by the city would result in eviction of the permittees who had constructed improvements on Forest Reserve lands under a Forest Reserve permit. The city, through the testimony of Mr. Morris, clearly demonstrated that this charge was groundless. Mr. Morris testified that the city would permit the owners of improvements to continue their occupancy thereof at the same rental charged by the government. It was shown, in fact, that the permittees would have greater security of tenancy under city ownership than under government ownership for the reason that government permits were terminable annually, whereas the city would enter into leases for periods up to five years. It was also stated by Mr. Morris that the city would provide a sufficient flow of water in Rock Creek to supply domestic requirements of the permittees in the event diversion of Rock Creek was made for power purposes under present power filings.

Under this policy Mono County would not suffer any loss in tax revenues by the acquisition of such lands by the city inasmuch as the owners of improvements constructed in the Forest Reserve under special use permits would continue ownership of such improvements under leases with the city and the improvements would not be removed from the assessment rolls.

Mr. Morris further pointed out that the lands available for recreational purposes in the Rock Creek subdivision consisted only of 6 per cent of the total lands available for recreational purposes in that general region; that in the upper Rock Creek area, out of 40 available lots, only 12 had been leased.

(2) Sportsmen

It was made clear by Mr. Morris that the policy of the city, in the future as in the past, would be to encourage fishing and hunting. It appears that fishing *and hunting in many instances* are not permitted on lands under private ownership without payment of fees, whereas the lands owned by the city are open to fishermen *and hunters* without charge.

H. Grazing Leases

The protestants contended that the acquisition of lands by the city would seriously interfere with cattle grazing. It was unequivocally declared by Mr. Morris that the policy of the city would provide for the renewal of grazing leases to occupants and hence the acquisition of lands by the city would not interfere in any degree with the carrying on of grazing activities.

1. Use of Water for Irrigation Purposes

During the hearings, the policy of the city in using water conducted from Owens Valley for irrigation purposes was attacked. In behalf of the city, it was asserted that the use of water for irrigation purposes outside the watershed was solely within the corporate limits of the city; that such use is a municipal use; that, in any event, there is a substantial and progressive decrease in consumption of water for irrigation purposes within the city; and that the proportion of water used for irrigation purposes to that used for domestic purposes is not substantial.

It was disclosed by the memorandum of President Theodore Roosevelt, written in conjunction with the approval of the 1906 Act, that "there is no objection to permitting Los Angeles to use the water for irrigating purposes so far as there is a surplusage after the city's drinking, washing, fire and other needs are met."

IV. Conclusion

From the evidence and statements presented at the two hearings, the following conclusions are inescapable. The Department of Water and Power of the City of Los Angeles has constructed facilities in Mono Basin to conduct some of the waters tributary to Mono Lake into the Los Angeles Aqueduct and thence to the City of Los Angeles for municipal purposes. In order to properly protect the City of Los Angeles in this undertaking, Congress adopted the Act of 1936, which grants to the City of Los Angeles public lands in Mono County which are necessary for the city in connection with the construction and operation of said project. Any lands sought to be acquired beyond the requirements set out in the act would not be granted to the city by the Secretary of the Interior for the reason that, before any lands are granted, the said secretary must find that such lands are necessary for the purposes directly related to the construction and operation of a water and/or electrical system. In addition, it was declared by the city that it has no foreseeable requirements for lands beyond those which it is now seeking to acquire, and that the city would consent to the repeal of said 1936 Act in the event such lands were purchased.

It further appears that the lands sought to be purchased are necessary for the proper construction and operation of the project and that the requirements of the city could not be properly satisfied through special use permits granted by the Forest Service rather than by purchase of said lands.

There are 30 permittees with improvements located on a part of the Forest Reserve lands which the city is seeking to acquire. Contrary to the lamentations of the protestants, it is clear that these permittees will not be disturbed by the acquisition of the lands by the city. The city announced during the hearings that the permittees could continue their

tenancy under the same rentals as are charged by the Forest Service. Such improvements, if not abandoned by the permittees, will thus remain on the tax roll and tax revenues of Mono County will not be affected. Likewise, the city will conform to the policy of renewing grazing leases to persons who occupy such lands, thereby affording continuity of use to lessees.

In short, it is apparent that the acquisition of the lands by the city is necessary; that it will not affect adversely the economic life of the inhabitants of Mono County; and that it will be in the public interest.

Respectfully submitted:

JACK B. TENNEY
Senator, Los Angeles County

MOTION TO PRINT SUMMARY OF REPORT

Senator Collier moved that the Summary of the Report by the State Reconstruction and Reemployment Commission be printed in the Journal.

Motion carried.

SUMMARY OF REPORT BY STATE RECONSTRUCTION AND REEMPLOYMENT COMMISSION

A total of $1,123,601,754 of public works has been tentatively scheduled for start of construction in California during the three years 1946-1948 by local, State and Federal agencies. Working plans and specifications are far enough along so that construction could start as now scheduled. Most of these projects represent urgently needed improvements.

Of this total, projects proposed by local public agencies are estimated at $552,094,030 (49.1 per cent); State projects amount to $295,740,234 (26.3 per cent); and Federal flood control and irrigation works account for $275,767,490 (24.6 per cent).

Funds reported to be available on December 31, 1945 for construction of the $552,094,030 of projects proposed by local public agencies in California are estimated at $264,559,508. Of these funds available, $130,877,084, or 49 per cent, are for projects scheduled by California cities.

California counties report funds available of $78,238,194 (29.3 per cent of all funds reported). School districts have $39,360,460 available for their projects during the three-year period.

Funds actually available or in sight for local projects in California probably exceed these reported amounts as indicated on pages 25 and 26.

Funds estimated to be available during the period June 30, 1945—June 30, 1948 for State highway improvements amount to $119,000,000. Not more than $12,468,520 were available December 31, 1945 for State building projects. Unappropriated funds in the State Postwar Employment Reserve and the Postwar Unemployment and Construction Fund are estimated at $234,007,345.

Every county of the State would share to some extent in the projects scheduled to start during the three years 1946-1948. The largest amount of work would be in Los Angeles County, which would have 31.0 per cent of the total. The remainder is well distributed among the various counties.

Flood control and irrigation projects totaling $354,192,457 are the largest single type of work scheduled. Highway, road and street proj-

ects, sewage disposal and storm drain projects, and schools and educational facilities rank next in the order named among the fourteen types of improvements classified in the report. These four largest groups account for 72.4 per cent of the estimated cost of all projects reported here to start during the three years 1946-1948.

The estimated costs and funds available for public works summarized in this report include only those projects on which data were received by the Commission to December 31, 1945. The total of all public improvements proposed for construction during 1946-1948 is doubtless somewhat larger than the amounts reported here.

Work Scheduled to Start During 1946

Public works tentatively scheduled for start of construction during the year 1946 in California are estimated to cost $577,381,397. Projects listed by local agencies to start this year amount to $283,360,427; State projects total $135,830,160; and Federal projects account for $158,190,810.

Funds available for local projects scheduled to start during 1946 are estimated at $171,803,728. An additional $88,570,625 would be needed, therefore, to cover construction of all local projects tentatively scheduled to start this year.

Although a total of $577,381,397 of public works has been tentatively scheduled to start during 1946 in California, it is extremely doubtful that such a large amount of public construction will actually be placed under contract this year because of shortages of materials, equipment and skilled workers. If this amount of public works were actually contracted for during 1946, urgently needed private construction would probably be impeded and construction costs would probably rise further.

Work Scheduled to Start During 1947-1948

Public improvements tentatively scheduled for start of construction during the two years 1947-1948 total $546,220,357, nearly the same as the total of projects scheduled to start during 1946.

All local projects listed for start during 1947-1948 account for $268,733,603 of the total: State projects are estimated at $159,910,074; Federal flood control and irrigation works at $117,576,680.

The local projects reported by the recent Federal Works Agency survey scheduled to start during 1947-1948 amount to $247,944,829, of which $118,451,864 is for municipal improvements. Counties rank next for work to start during these two years with $97,334,875. Local school district projects scheduled during this period total $26,422,920.

Funds reported as available for local projects, scheduled to start during 1947-1948 amount to $92,755,780, leaving $155,189,049 additional funds required.

Further reports on other phases of this continuing study of the timing of public works will be published as the work progresses.

CONSIDERATION OF DAILY FILE
CONSIDERATION OF SPECIAL ORDER

The hour of 11 a.m. having arrived, Senate Bill No. 40 was taken up.

Senate Bill No. 40—An act to add Section 18 and Article 10, comprising Sections 150 to 404 to, and to amend Sections 19, 20, and 40 of,

the Unemployment Insurance Act, to establish a System of Unemployment Compensation Disability Benefit Payments within the Unemployment Compensation System.

Bill read third time.

Point of Order

Senator Hatfield raised a point of order that Senate Bill No. 40 makes an appropriation, that under the Rules such a bill must be considered by the Committee on Finance, and that, since Senate Bill No. 40 has not been considered by the Committee on Finance, it should now be referred to that committee.

The President ruled that the point of order was not well taken, as Senate Bill No. 40 does not make an appropriation.

Consideration of Amendments to Senate Bill No. 40

Motion to Amend

Senator Ward moved the adoption of the following amendments:

Amendment No. 1

On page 3 of the printed bill, as amended, strike out lines 11 to 15, inclusive, and insert

"SEC. 204. The total benefits payable to a claimant either as Unemployment Compensation Benefits, or as Unemployment Compensation Disability Benefits, or both, in a benefit year, shall not exceed the amount to which he would be entitled under SEC. 53 of this act."

Amendment No. 2

On page 3 of said bill, as amended, strike out line 28, and insert "a waiting period of seven consecutive days during each uninterrupted period of disability;".

Amendments read.

Division of the Amendments

Senator Ward demanded a division of the amendments.

Consideration of Amendment No. 1

Amendment No. 1

On page 3 of the printed bill, as amended, strike out lines 11 to 15, inclusive, and insert

"SEC. 204. The total benefits payable to a claimant either as unemployment compensation benefits, or as unemployment compensation disability benefits, or both, in a benefit year, shall not exceed the amount to which he would be entitled under SEC. 53 of this act."

Amendment read.

Previous Question

Senator Fletcher moved the previous question.

Motion lost.

Roll Call Demanded

Senators Shelley, Judah, and Ward demanded a roll call.

The roll was called, and the amendment adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Desmond, Denel, Dilworth, Dorsey, Gordon, Hatfield, Hulse, Keating, Kuchel, McBride, Mixter, Parkman, Rich, Seawell, Sutton, Ward, and Weybret—20.

NOES—Senators Biggar, Carter, Collier, Crittenden, DeLap, Dillinger, Donnelly, Fletcher, Jespersen, Judah, Mayo, McCormack, Powers, Quinn, Salsman, Shelley, Slater, Swing, and Tenney—19.

Motion to Reconsider

Senator Shelley moved to reconsider the vote whereby Amendment No. 1 to Senate Bill No. 40 was adopted.

Postponement of Reconsideration

On motion of Senator Shelley, the further consideration of the motion to reconsider the vote whereby Amendment No. 1 to Senate Bill No. 40 was adopted, was continued until the next legislative day.

RECESS

At 1.03 p.m., on motion of Senator Seawell, the Senate recessed until 2.30 p.m.

REASSEMBLED

At 2.30 p.m., the Senate reconvened.

Hon. Frederick F. Houser, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 28
Assembly Bill No. 51
Assembly Bill No. 79

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

Assembly Bill No. 28—An act to provide State assistance of local agencies for the control of mosquitoes, and making an appropriation therefor, to take effect immediately.

Referred to Committee on Rules.

Assembly Bill No. 51—An act making an appropriation to the Division of Forestry, Department of Natural Resources, for construction, improvements and equipment, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Rules.

Assembly Bill No. 79—An act providing for research and its adaptation to the production, processing, distribution and utilization of agricultural products grown in the State of California and making an appropriation therefor, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Military and Veterans Affairs

SENATE CHAMBER, SACRAMENTO, January 28, 1946

MR. PRESIDENT: Your Committee on Military and Veterans Affairs, to which was referred:

Assembly Bill No. 62

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to Committee on Finance.

Committee membership 9; committee vote: Ayes 7; absent 2.

QUINN, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, January 28, 1946

MR. PRESIDENT: Your Committee on Military and Veterans Affairs, to which was referred:

Assembly Bill No. 63

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 9; committee vote: Ayes 7; absent 2.

QUINN, Chairman

Above reported bill re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, January 28, 1946

MR. PRESIDENT: Your Committee on Military and Veterans Affairs, to which was referred:

Assembly Bill No. 106

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to Committee on Finance.

Committee membership 9; committee vote: Ayes 7; absent 2.

QUINN, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, January 28, 1946

MR. PRESIDENT: Your Committee on Military and Veterans Affairs, to which was referred:

Assembly Bill No. 74

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 7; absent 2.

QUINN, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, January 28, 1946

MR. PRESIDENT: Your Committee on Military and Veterans' Affairs, to which was referred:

Assembly Bill No. 84

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 7; absent 2.

QUINN, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, January 26, 1946

MR. PRESIDENT: Your Committee on Military and Veterans' Affairs, to which was referred:

Assembly Bill No. 69

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 8; absent 1.

QUINN, Chairman

Above reported bill ordered to second reading.

Committee on Water Resources

SENATE CHAMBER, SACRAMENTO, January 28, 1946

MR. PRESIDENT: Your Committee on Water Resources, to which was referred:

Senate Bill No. 84

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to Committee on Finance.

Committee membership 9; committee vote: Ayes 9.

JESPERSEN, Chairman

Above reported bill ordered to second reading.

Committee on Public Health and Safety

SENATE CHAMBER, SACRAMENTO, January 29, 1946

MR. PRESIDENT: Your Committee on Public Health and Safety, to which were referred:

Assembly Bill No. 27
Assembly Bill No. 37

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 8; absent 1.

COLLIER, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, January 29, 1946

MR. PRESIDENT: Your Committee on Public Health and Safety, to which was referred:

Senate Bill No. 14

Has had the same under consideration, and reports the same back with the recommendation: Be re-referred to Committee on Finance, but without recommendation as to final disposition of the bill.

Committee membership 9; committee vote: Ayes 8; absent 1.

COLLIER, Chairman

Above reported bill re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, January 29, 1946

MR. PRESIDENT: Your Committee on Public Health and Safety, to which was referred:

Assembly Bill No. 46

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 8; absent 1.

COLLIER, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, January 29, 1946

MR. PRESIDENT: Your Committee on Public Health and Safety, to which was referred:

Assembly Bill No. 88

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend and be re-referred to Committee on Finance.

Committee membership 9; committee vote: Ayes 8; absent 1.

COLLIER, Chairman

Above reported bill ordered to second reading.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following bills were introduced, and read the first time:

Senate Bill No. 97: By Senators Hatfield, Cunningham, Dorsey, Hulse, Mixter, Collier, and Burns—An act to amend Sections 2941 and 2957 of, and to add Sections 2941.5 and 2972.5 to, the Civil Code, relating to mortgages, to take effect immediately.

Referred to Committee on Judiciary.

Senate Bill No. 98: By Senators Quinn and Hatfield—An act making an appropriation for the support of the Department of Veterans Affairs.

Referred to Committee on Military and Veterans Affairs.

THE FOLLOWING PROPOSED BILLS WERE READ, AND REFERRED TO COMMITTEE ON RULES

By Senators Mayo, Keating, and Slater—An act amending Section 6101 of the Penal Code, relating to the acquisition of a site for the Medical Facility of the Department of Corrections.

By Senator Seawell—An act to add Sections 3211.9, 3211.91, 3211.92, 3211.93, and 3211.94 to, and Chapter 10.5, comprising Sections 4351 to 4387, inclusive, to Part 1 of Division 4 of the Labor Code, and to add Article 10.7 to Chapter 1 of Division 7 of the Military and Veterans Code, relating to the furnishing of workmen's compensation benefits to disaster service workers, including the limiting of the liability of the State of California, counties, cities, and disaster councils for injuries arising out of and occurring in the course of activities as a disaster service worker, authorizing the California State Disaster Council to certify disaster councils and to make rules and regulations for the classifying and registering of disaster service workers, providing for the State Compensation Insurance Fund to act as adjusting agent, and making an appropriation for the furnishing of workmen's compensation benefits, to take effect immediately.

By Senators Dorsey, Carter, Brown, Quinn, Donnelly, Hatfield, Biggar, Dillinger, Burns, Jespersen, Fletcher, Cunningham, Collier, and McBride —An act providing for a program of school district public works, creating the State School Building Commission, establishing the State School Building Fund, and making an appropriation to carry out the provisions of this act, declaring the urgency thereof, to take effect immediately.

By Senator Weybret—An act to provide for participation by the State of California in the celebration to be held at Monterey commemorating the raising of the American Flag by Commodore Sloat, creating a commission therefor, and making an appropriation.

By Senator Slater—An act to provide for participation by the State of California in a celebration to be held at Sonoma commemorating the raising of the Bear Flag of the California Republic, creating a commission therefor, and making an appropriation.

By Senators Mayo, Carter, and Seawell—An act to add Section 126 to the Government Code, relating to the acquisition of land in this State by the United States and the consent of the Legislature to such acquisition upon the conditions and subject to the reservations in this act prescribed.

By Senator Judah—An act to add Article 7 to Chapter 12 of Division 3 of the Education Code, relating to the support of the public schools, declaring the urgency thereof, to take effect immediately.

By Senator Seawell—An act making an appropriation for the contingent expenses of the Senate, including expenses of committees, to take effect immediately.

By Senator McBride—An act to add Section 66d to the Code of Civil Procedure, relating to the number of judges of the Superior Court in the County of Ventura.

By Senator Burns—Relative to the need for additional funds to cover cost of licensing, inspecting, regulating, and supervising public and pri-

vate hospitals, requesting the Director of Finance to make money available for this purpose.

CONSIDERATION OF DAILY FILE

SECOND READING OF SENATE BILLS

Senate Bill No. 90—An act making an appropriation for allocation to cities, counties, and cities and counties for the prevention or alleviation of unemployment through the construction of public works in which there is a State interest, and providing the procedure for making such allocations.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

Amendment No. 1

On page 2, line 4, of the printed bill, strike out "point", and insert "points".

Amendment No. 2

On page 5, line 10, of said bill, after "for", insert a comma.

Amendment No. 3

On page 5, line 11, of said bill, after "of", insert a comma.

Amendment No. 4

On page 5, line 14, of said bill, after "for", insert a comma; and, in the same line, after "of", insert a comma.

Amendment No. 5

On page 6, line 1, of said bill, strike out "jails and".

Amendment No. 6

On page 6 of said bill, strike out lines 34 and 35, and insert "struction of major streets, including bridges and other street structures or facilities, schools and storm drains."

Amendment No. 7

On page 8, line 46, of said bill, strike out "applications", and insert "claims".

Amendment No. 8

On page 8 of said bill, strike out line 49, and insert "claim. When the director approves such claim and".

Amendments read and adopted.

Further Amendments to Senate Bill No. 90

Motion to Amend

Senator Quinn moved the adoption of the following amendment:

Amendment No. 1

On page 6, line 4, of the printed bill, strike out the period and insert ", and the improvement, development, and protection of harbors."

Amendment read.

Motion to Re-refer Senate Bill No. 90

Senator DeLap moved that Senate Bill No. 90 be re-referred to Committee on Governmental Efficiency.

Motion to Table

Senator Hatfield moved that the motion by Senator DeLap to re-refer Senate Bill No. 90 to Committee on Governmental Efficiency, be laid on the table.

Motion carried.

Withdrawal of Amendment

Senator Quinn withdrew his amendment to Senate Bill No. 90.

Bill ordered printed, and re-referred to Committee on Finance.

Senate Bill No. 71—An act to amend Section 2 of an act entitled "An act to add Article 7, consisting of Sections 997, 997.1, 997.2, 997.3, 997.4, 997.5, and 997.6 to Chapter 6 of Division 4 of the Military and Veterans Code, relating to aid to veterans of World War II through cooperation with the United States or agencies thereof and of this State in making Federal lands available and suitable for settlement by such veterans," approved June 25, 1945, relating to cooperation with the United States in settling veterans on Federal lands.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 66—An act relating to the rights of veterans to return to public office or employment upon release from the armed services of the United States, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military and Veterans Affairs:

Amendment No. 1

On page 1, line 8, of the printed bill, after "position", insert "prior to the expiration of the Selective Training and Service Act of 1940 as amended, or any extension thereof,".

Amendment No. 2

On page 1 of said bill, after line 24, insert

"SEC. 3. Any officer or employee whether permanent or probationary who is restored to his office or employment pursuant to this act shall not be discharged from such office or position without cause within one year after such restoration, and shall be entitled to participate in insurance or other benefits offered by the employing governmental agency pursuant to established rules and practices relating to such officers or employees on furlough or leave of absence in effect at the time such officer or employee left his office or position to join the armed forces of the United States; provided, however, that such officer or employee shall not, without the consent of the appointing authority, acquire permanent status until 15 days after the expiration of said period of one year."

Amendment No. 3

On page 2, line 1, of said bill, strike out "SEC. 3", and insert "SEC. 4."

Amendments read and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 58—An act to add Section 701 to the Military and Veterans Code, relating to the acceptance of guarantees by the United States of veterans' farm and home purchases.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 43—An act to amend Section 65 of the Labor Code, relating to conciliation and arbitration of labor disputes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Labor:

Amendment No. 1

On page 1, lines 3 and 4, of the printed bill, strike out "Arbitrate, or arrange for the selection of boards of arbitration,".

Amendment No. 2

On page 1, line 5, of the printed bill, after "department", strike out the period, and insert "And may arbitrate or arrange for the selection of boards of arbitration on such terms as all of the bona fide parties to such dispute may agree upon."

Amendments read and adopted.

Bill ordered printed, and re-referred to Committee on Labor.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 60—An act making an appropriation for allocation to cities, counties, and cities and counties for the construction of public works in which there is a State interest, providing the procedure for making such allocations, and repealing the Postwar Unemployment and Construction Act.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

Amendment No. 1

In line 2 of the title of the printed bill, as amended, after "for", insert "the prevention and alleviation of unemployment through".

Amendment No. 2

In line 3 of the title of said bill, after "interest," insert "and".

Amendment No. 3

In lines 4 and 5 of the title of said bill, strike out ", and repealing the Postwar Unemployment and Construction Act".

Amendment No. 4

On page 3, line 3, of said bill, after "SEC. 5." insert "(a)".

Amendment No. 5

On page 3 of said bill, between lines 8 and 9, insert

"(b) As used in this act, "school" shall mean a school located in any school district which includes all or any portion of the county when the project is to be paid for in part from the county allocation, and a school located in a school district which includes all or any portion of the city when the project is to be paid for in part from the city allocation.

Amendment No. 6

On page 3 of said bill, strike out lines 19 and 20, and insert "appointed by the Speaker, shall meet and advise with the board to the extent that such advisory participation is".

Amendment No. 7

On page 3, line 23, of said bill, after "board", insert "and the Members of the Legislature meeting with the board in an advisory capacity".

Amendment No. 8

On page 3, line 33, of said bill, strike out "ninety million dollars ($90,000,000)", and insert "ninety million, four hundred thousand dollars ($90,400,000)".

Amendment No. 9

On page 3, line 42, of said bill, strike out "three hundred thousand dollars ($300,000)", and insert "two hundred thousand dollars ($200,000)".

Amendment No. 10

On page 3 of said bill, strike out lines 49 and 50, and insert "hereby allocated to all counties the sum of forty-five million dollars ($45,000,000) for expendi-".

Amendment No. 11

On page 4, line 6, of said bill, strike out "including", and insert "excluding".

Amendment No. 12

On page 4, line 8, of said bill, strike out "fifty thousand dollars ($50,000)", and insert "one hundred thousand dollars ($100,000)".

Amendment No. 13

On page 4, line 39, of said bill, after the first "such", insert "city and".

Amendment No. 14

On page 5, lines 8 and 9, of said bill, strike out "allocated from said Local Postwar Construction Fund", and insert "apportioned".

Amendment No. 15

On page 5, line 11, of said bill, after "for", insert a comma.

Amendment No. 16

On page 5, line 14, of said bill, after "for", insert a comma.

Amendment No. 17

On page 5, line 16, of said bill, after "such", insert "city and".

Amendment No. 18

On page 5 of said bill, strike out lines 17 to 21, inclusive.

Amendment No. 19

On page 5, line 22, of said bill, strike out "(f)", and insert "(e)".

Amendment No. 20

On page 5, line 24, of said bill, strike out "department", and insert "Department of Public Works".

Amendment No. 21

On page 5, lines 29 and 30, of said bill, strike out "department", and insert "Department of Public Works".

Amendment No. 22

On page 5, line 34, of said bill, strike out "(g)", and insert "(f)".

Amendment No. 23

On page 5, line 38, of said bill, strike out "(h)", and insert "(g)".

Amendment No. 24

On page 6 of said bill, strike out lines 10 to 12, inclusive, and insert "detention homes, schools, sewage facilities, sanitation facilities, roads, highways, tubes, bridges, road and highway facilities, flood control, and fire protection and prevention facilities."

Amendment No. 25

On page 6, lines 16 and 17, of said bill, strike out "forty-four million, seven hundred fifty thousand dollars ($44,750,000)", and insert "forty-five million dollars ($45,000,000)".

Amendment No. 26

On page 6 of said bill, strike out lines 38 and 39, and insert "(b) Major streets, including bridges and other street structures or facilities, schools and storm drains."

Amendment No. 27

On page 6 of said bill, strike out lines 42 and 43, and insert "struction of major streets, including bridges and other street structures or facilities, schools and storm drains."

Amendment No. 28

On page 7 of said bill, strike out lines 3 and 4, and insert "major streets, including bridges and other street structures or facilities, schools and storm drains."

Amendment No. 29

On page 7 of said bill, strike out lines 34 to 37, inclusive, and insert "however, any county may make application for aid from the State for the cost of construction of road and highway projects without the matching of such State aid by the county, and the board shall approve such application or applications in an amount not to exceed $75,000 in the aggregate for any such county."

Amendment No. 30

On page 8, line 50, of said bill, strike "applications", and insert "claims".

Amendment No. 31

On page 9, line 1, of said bill, strike "application", and insert "claim".

Amendment No. 32

On page 10, line 19, of said bill, strike out "Title 2", and insert "Title 1".

Amendment No. 33

On page 10 of said bill, strike out lines 30 to 35, inclusive, and insert

"SEC. 30. At the beginning of each regular session of the Legislature, the department shall report to each house of the Legislature as to the work done and expenditures made hereunder until all of the moneys appropriated have been expended.

SEC. 31. If any provision of this act, or the application thereof to any person or circumstance, is held invalid, the remainder of this act, or the application thereof to other persons or circumstances, shall not be affected thereby."

Amendments read and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

Assembly Bill No. 82—An act to add Article 5, comprising Sections 20920 to 20922, inclusive, to Chapter 7 of Part 3 of Division 5 of Title 2 of the Government Code relating to the State Employees' Retirement System, providing for crediting service in the United States Employment Service as State service to certain members and under certain conditions specified therein, and providing for contributions by members and by the State in respect to such service.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

Amendment No. 1

On page 1, lines 7 and 8, of the printed bill, strike out "means civilian", and insert "means:

(a) Civilian".

Amendment No. 2

On page 1 of said bill, strike out line 12, and insert

"(b) Military service in any branch of the armed forces of the United States performed by an individual on military leave of absence from a position in "Federal service" as defined in subdivision (a) of this section.

(c) For the purposes of this part a person shall be considered as".

Amendment No. 3

On page 2 of said bill, strike out lines 16 to 22, inclusive, and insert "he was reemployed by the State agency from which he was formerly laid off."

Amendment No. 4

On page 2, line 25, of said bill, strike out "shall", and insert "may within six months from the effective date of this article or their return to State service, whichever is the later,".

Amendment No. 5

On page 2, line 26, of said bill, strike out "shall", and insert "may".

Amendments read and adopted.

Bill ordered printed, and to third reading.

Assembly Bill No. 72—An act to amend Sections 395.2 and 395.8 of the Military and Veterans Code, and Section 13204.1 of the Education Code, and Section 19393 of the Government Code, relating to the reinstatement of public employees after release from military service and service in the Merchant Marine or the American Red Cross.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military and Veterans Affairs:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "Section 13204.1", and insert "Sections 13204.1 and 20380".

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets:

Amendment No. 2

On page 3 of said bill, between lines 19 and 20, insert

"SEC. 4. Section 20380 of the Education Code is amended to read:

20380. Every employee of a State college not serving in the State civil service who has entered or who hereafter enters the active military service of the United States of America or of the State of California, including active service in any uniformed auxiliary of, or to, any branch of such military service created or authorized as such auxiliary by the Congress of the United States of America or by the Legislature of the State of California, or in the full-time paid service of the American Red Cross, during any period of National emergency declared by the President of the United States of America or during any war in which the United States of America is engaged, shall be deemed to have been entitled or shall be entitled to absent himself from his duties as an employee of the college.

Within [90 days] *six months* after such employee honorably leaves such service or has been placed on inactive duty he shall be entitled to return to the position held by him at the time of his entrance into such military service, at the salary to which he would have been entitled had he not absented himself from his duties as an employee of the college under this section."

Amendment No. 3

On page 3, line 20, of said bill, strike out "Sec. 4", and insert "SEC. 5".

Amendments read and adopted.

Bill ordered printed, and to third reading.

Assembly Bill No. 70—An act to repeal Sections 877, 981.6 and 985.4 of the Military and Veterans Code, relating to eligibility of veterans for educational aid and farm and home purchases.

Bill read second time, and ordered to third reading.

Assembly Bill No. 14—An act to add Section 973 to the Military and Veterans Code, relating to the county service officer, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 40—An act to repeal the Minors Emergency War Employment Act and to revoke all permits issued thereunder.

Bill read second time, and ordered to third reading.

MOTION TO SET SPECIAL ORDER

Senator Tenney moved that Senate Bill No. 45 be made a special order of business for today, following the final disposition of Senate Bill No. 40.

Motion carried.

FURTHER CONSIDERATION OF SENATE BILL NO. 40

Senate Bill No. 40—An act to add Section 18 and Article 10, comprising Sections 150 to 404 to, and to amend Sections 19, 20, and 40 of, the Unemployment Insurance Act, to establish a System of Unemployment Compensation Disability Benefit Payments within the Unemployment Compensation System.

Consideration of Amendment No. 2 by Senator Ward

Amendment No. 2

On page 3 of said bill, as amended, strike out line 28, and insert "a waiting period of seven consecutive days during each uninterrupted period of disability;".

Amendment read.

The roll was called.

Call of the Senate

Pending the announcement of the vote, Senator Ward moved a call of the Senate.

Motion carried. Time, 3.26 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

Further Proceedings Under Call of the Senate Dispensed With

At 3.33 p.m., on motion of Senator Ward, further proceedings under the call of the Senate were dispensed with.

The names of the absentees were called, and Amendment No. 2 to Senate Bill No. 40 refused adoption by the following vote:

AYES—Senators Biggar, Desmond, Dilworth, Hatfield, Hulse, Keating, Kuchel, Mixter, Powers, Sutton, Ward, and Weybret—12.

NOES—Senators Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Dorsey, Fletcher, Gordon, Jespersen, Judah, Mayo, McBride, McCormack, Parkman, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Swing, and Tenney—27.

Further Considration of Senate Bill No. 40

Senate Bill No. 40—An act to add Section 18 and Article 10, comprising Sections 150 to 404 to, and to amend Sections 19, 20, and 40 of, the Unemployment Insurance Act, to establish a System of Unemployment Compensation Disability Benefit Payments within the Unemployment Compensation System.

Further Amendments to Senate Bill No. 40

Motion to Amend

Senator Desmond moved the adoption of the following amendments:

Amendment No. 1

In line 4 of the title of the printed bill, as amended, insert a period after "payments"; strike out "within"; and strike out line 5.

Amendment No. 2

On page 8 of said bill, between lines 10 and 11, insert

"Part 6. Voluntary Plans

Sec. 450. An employer, a majority of the employees of an employer, or both, may apply to the commission for approval of a voluntary plan for the payment of disability benefits to the employees of the employer.

Sec. 451. The commission shall approve any voluntary plan as to which it finds that all of the following exist:

(a) The benefits afforded to the covered employees are greater than those provided for in Part 2 of this article.

(b) A majority of the employees of the employer have consented to the plan.

(c) If the plan provides for insurance the insurance policies to be issued have been approved by the Insurance Commissioner and are to be issued by an admitted disability insurer.

(d) The employer has consented to the plan and has agreed to make the payroll deductions required, if any, and transmit the proceeds to the plan insurer.

(e) The plan provides for the inclusion of future employees.

(f) The plan is to be in effect for a period of not less than two years.

Sec. 452. If the plan does not provide for the assumption by an admitted disability insurer of the liability of the employer to pay the benefits afforded thereby, the commission shall not approve it unless the employer files with the commission the bond of an admitted surety insurer conditioned on the payment by the employer of his obligations under the plan, or deposits with the commission securities approved by the commission to secure the payment of such obligations. The penal sum of the bond or the amount of the deposit shall be determined by the commission and shall be not less than one-half of the contributions which would have been paid by the employees to be covered by the plan during the preceding year, or one-half of the estimated contributions of such employees for the ensuing year, whichever is greater.

Sec. 453. Each application shall be accompanied by a filing fee of fifty dollars ($50). Such fees may be used for expenses of administration of this article.

Sec. 454. Upon approval of a plan by the commission, the employer shall furnish the commission with a list of his employees who are subject to the plan. As new or

reemployed employees are included in the plan, the employer shall, as required by the commission, furnish the commission with their names.

Sec. 455. Neither an employee whose name is furnished to the commission as participating in the plan, nor his employer is liable for the contributions required by Section 44 with respect to wages paid by the employer for employment, and such an employee is not entitled to benefits from the Disability Fund while he remains such an employee and while the plan is in effect.

Sec. 456. An employer may, but need not, assume all or part of the cost of the plan, and may deduct from the wages of an employee covered by the plan for the purpose of providing the disability benefits specified in Part 2 of this article an amount not in excess of that which would be required by Section 44 if the employee were not covered by the plan.

Sec. 457. All money received or retained by an employer under a plan are trust funds and shall be separately accounted for by the employer. In the event of commingling of the funds or the bankruptcy or insolvency of the employer or the appointment of a receiver for the business of the employer, such funds are entitled to the same preference as are the claims of the State under Section 46 of this act.

Sec. 458. The commission may after notice and hearing withdraw its approval of any voluntary plans if it finds that there is danger that the benefits accrued or to accrue will not be paid, that the security for such payment is insufficient, or for other good cause shown.

Sec. 459. If any employer or insurer denies liability upon the claim of an employee for disability benefits in whole or in part under an approved plan, the employee may appeal the denial to the commission. The commission shall by regulations provide for hearings on such appeals in like manner as is provided by law and regulations of the commission for an initial determination of a claim for benefits payable out of the Disability Fund.

Sec. 460. The powers to make rules and regulations vested in the commission by Section 90 of this act, are applicable to the administration and enforcement of this part.

Amendments read.

Roll Call Demanded

Senators Desmond, Gordon, and Salsman demanded a roll call.

The roll was called, and the amendments adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Collier, Crittenden, DeLap, Desmond, Dilworth, Fletcher, Gordon, Hatfield, Hulse, Keating, Kuchel, McCormack, Parkman, Rich, Salsman, Seawell, Sutton, Ward, and Weybret—23.

NOES—Senators Carter, Cunningham, Deuel, Dillinger, Donnelly, Dorsey, Jespersen, Judah, Mayo, McBride, Powers, Quinn, Shelley, Slater, Swing, and Tenney—16.

MOTION TO CONSIDER RECONSIDERATION

Senator Shelley moved that his motion to reconsider the vote whereby Amendment No. 1 to Senate Bill No. 40 was adopted, and consideration was continued to the next legislative day, be placed on today's file for immediate consideration.

Motion carried.

Motion to Reconsider Amendment No. 1 to Senate Bill No. 40

Pursuant to his motion previously made, Senator Shelley moved that the Senate, at this time, reconsider the vote whereby Amendment No. 1 to Senate Bill No. 40 was adopted.

The roll was called, and Amendment No. 1 to Senate Bill No. 40 refused reconsideration by the following vote:

AYES—Senators Biggar, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Dillinger, Donnelly, Fletcher, Jespersen, Judah, Mayo, Quinn, Salsman, Shelley, Slater, Swing, and Tenney—19.

NOES—Senators Breed, Brown, Desmond, Deuel, Dilworth, Dorsey, Gordon, Hatfield, Hulse, Keating, Kuchel, McBride, McCormack, Mixter, Parkman, Powers, Rich, Seawell, Sutton, Ward, and Weybret—21.

FURTHER CONSIDERATION OF SENATE BILL NO. 40

Senate Bill No. 40—An act to add Section 18 and Article 10, comprising Sections 150 to 404 to, and to amend Sections 19, 20, and 40 of,

the Unemployment Insurance Act, to establish a System of Unemployment Compensation Disability Benefit Payments within the Unemployment Compensation System.

Further Amendments to Senate Bill No. 40

Motion to Amend

Senator Dilworth moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 18, of the printed bill, as amended, strike out "to an eligible"; and strike out lines 19 to 22, inclusive, and insert a period.

Amendment No. 2

On page 3 of said bill, strike out lines 3 to 16, inclusive, and insert
"Sec. 204. Each individual eligible under this article who".

Amendment No. 3

On page 3, line 20, of said bill, strike out the period, and insert ", provided that the total amount of unemployment compensation disability benefit payments to an individual during any benefit year shall not exceed such individual's benefit balance for such benefit year.

Sec. 205. The benefit balance in an individual's account shall become payable (1) to such individual upon his attaining the age of 64 years, and proof of such age shall be in lieu of all other conditions of eligibility for the receipt of unemployment compensation disability benefits required by this article, (2) to his heirs, legatees or personal representative upon the death of such individual, or (3) to the guardian of the estate of such individual upon his being legally declared an incompetent person."

Amendment No. 4

On page 3 of said bill, strike out lines 30 to 35, inclusive, and insert
"(c) He is willing to submit to a reasonable examination or".

Amendment No. 5

On page 4 of said bill, between lines 12 and 13, insert

"Sec. 210. An individual's benefit balance for any benefit year shall be computed as of the last day of the first of the last two completed calendar quarters preceding the date of filing a valid claim, and shall consist of the sum of the contributions paid on behalf of the individual as required by this act with respect to wages paid to such individual subsequent to January 1, 1946 for employment, less chargeable administrative costs (if any), plus any pro rata distribution of the increment of the disability fund or of any Federal funds which are made available for the payment of unemployment compensation disability benefits, or both, which are allocated by the commission to such individual's account, less the total benefits paid to such individual pursuant to this article. For the purpose of computing such balance the commission shall maintain separate records of the contributions paid into the disability fund on behalf of each individual and of the payments made to such individual pursuant to the provisions of this article.

Sec. 211. Notwithstanding any other provisions of this act, there shall be no liability on the part of the State to an individual for any payment under this article in excess of such individual's benefit balance as determined in accordance with Section 210 of this act."

Amendment No. 6

On page 5, line 38, of said bill, strike out "5", and insert "2".

Amendments read.

Division of the Amendments

Senator Dilworth demanded a division of the amendments, the first five amendments to be considered together.

Consideration of Amendments Nos. 1, 2, 3, 4, and 5

Amendment No. 1

On page 2, line 18, of the printed bill, as amended, strike out "to an eligible"; and strike out lines 19 to 22, inclusive, and insert a period.

Amendment No. 2

On page 3 of said bill, strike out lines 3 to 16, inclusive, and insert
"Sec. 204. Each individual eligible under this article who".

Amendment No. 3

On page 3, line 20, of said bill, strike out the period, and insert ", provided that the total amount of unemployment compensation disability benefit payments to an individual during any benefit year shall not exceed such individual's benefit balance for such benefit year.

Sec. 205. The benefit balance in an individual's account shall become payable (1) to such individual upon his attaining the age of 64 years, and proof of such age shall be in lieu of all other conditions of eligibility for the receipt of unemployment compensation disability benefits required by this article, (2) to his heirs, legatees or personal representative upon the death of such individual, or (3) to the guardian of the estate of such individual upon his being legally declared an incompetent person."

Amendment No. 4

On page 3 of said bill, strike out lines 30 to 35, inclusive, and insert

"(c) He is willing to submit to a reasonable examination or".

Amendment No. 5

On page 4 of said bill, between lines 12 and 13, insert

"Sec. 210. An individual's benefit balance for any benefit year shall be computed as of the last day of the first of the last two completed calendar quarters preceding the date of filing a valid claim, and shall consist of the sum of the contributions paid on behalf of the individual as required by this act with respect to wages paid to such individual subsequent to January 1, 1946 for employment, less chargeable administrative costs (if any), plus any pro rata distribution of the increment of the disability fund or of any Federal funds which are made available for the payment of unemployment compensation disability benefits, or both, which are allocated by the commission to such individual's account, less the total benefits paid to such individual pursuant to this article. For the purpose of computing such balance the commission shall maintain separate records of the contributions paid into the disability fund on behalf of each individual and of the payments made to such individual pursuant to the provisions of this article.

Sec. 211. Notwithstanding any other provisions of this act, there shall be no liability on the part of the State to an individual for any payment under this article in excess of such individual's benefit balance as determined in accordance with Section 210 of this act."

Amendments read.

Roll Call Demanded

Senators Seawell, Carter, and Shelley demanded a roll call.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Senators Dilworth, Gordon, Hatfield, Hulse, Sutton, and Swing—6.

NOES—Senators Breed, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Dorsey, Fletcher, Jespersen, Judah, Keating, Kuchel, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Tenney, and Ward—30.

Consideration of Amendment No. 6 to Senate Bill No. 40

Amendment No. 6

On page 5, line 38, of said bill, strike out "5", and insert "2".

Amendment read.

Withdrawal of Amendment

Senator Dilworth withdrew Amendment No. 6 to Senate Bill No. 40.

Senate Bill No. 40 ordered to print, re-engrossment, and third reading.

REQUEST FOR UNANIMOUS CONSENT

Senators Tenney, Breed, and McBride asked for, and were granted, unanimous consent to have the following statement printed in the Journal:

Statement

Because of an appointment to a legislative delegation mandated to appear before the Judiciary Committee of the United States Senate in Washington, D. C., and being

compelled to leave for the National Capitol on the evening of January 29, 1946, the undersigned will therefore be unable to vote on the final passage of Senate Bill No. 40, the Disability Benefit Bill, and wish to state that had the undersigned been present in the Senate on the day that the aforesaid Senate Bill No. 40 was before that body for final passage, they would have voted aye for the passage of said measure.

JAMES J. McBRIDE
JACK B. TENNEY
ARTHUR H. BREED, JR.

CONSIDERATION OF DAILY FILE (RESUMED)

FURTHER CONSIDERATION OF SPECIAL ORDER

The disposition of Senate Bill No. 40 being final, Senate Bill No. 45 was taken up.

Senate Bill No. 45—An act making an appropriation for the support of child care centers, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hulse, Jespersen, Judah, Keating, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—35.
NOES—Senators Desmond and Kuchel—2.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Jespersen, Judah, Keating, McBride, McCormack, Mixter, Parkman, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—32.
NOES—Senators Desmond, Gordon, Hatfield, Hulse, Kuchel, and Powers—6.

Bill ordered transmitted to the Assembly.

REQUEST FOR UNANIMOUS CONSENT

Senator Rich asked for, and was granted, unanimous consent to have the following statement regarding the financial status of the State, printed in the Journal:

FINANCIAL STATUS OF THE STATE

(To Be Prepared by the Legislative Auditor for the Budget Committee for the Information of the Legislature.)

In answer to the many inquiries as to the changing financial condition of the State resulting from the approval of appropriation bills by the Finance Committee of the Senate and Ways and Means Committee of the Assembly and subsequent action thereon, this analysis has been prepared beginning with the introduction of bills and is carried forward currently as rapidly as bills are considered by either of these committees.

Explanation of the accumulation of revenues for the Postwar Employment Reserve into the two funds and the condition as of January 7, 1946, is included.

Accumulation of Revenue for the Postwar Employment Reserve and the Postwar Unemployment and Construction Fund

A. Postwar Employment Reserve—	*Amount*
Revenue derived from –	
Retail sales and use tax, July 1, 1943-June 30, 1945	$54,054,822 97
Bank and corporation franchise and corporation income taxes, July 1, 1943-December 31, 1945	15,832,537 72
General Fund (Transferred by Chap. 19; Stat. 1944-4th Ex.)	50,000,000 00
General Fund (Transferred by Chap. 41; Stat. 1944-4th Ex.)	25,000,000 00
General Fund (Transferred by Chap. 1446; Stat. 1945)	500,000 00
Total resources	$148,387,360 69
Less: Appropriations for plans and specifications—	
* State Division of Architecture (Chap. 572; Stat. 1943)	$1,250,000 00
* State Division of Architecture (Chap. 20; Stat. 1944-4th Ex.)	2,000,000 00
University of California (Chap. 21; Stat. 1944-4th Ex.)	1,000,000 00
University of California (Chap. 1486; Stat. 1945)	30,000 00
Total appropriations	** $4,380,000 00
	$144,007,360 69
	* 1,753,322 00
Net total resources	$145,760,682 00

B. Postwar Unemployment and Construction Fund	
Revenue derived from:	
General Fund (Transferred by Chap. 647; Stat. 1945)	$90,000,000 00
Total in both Postwar Funds as of January 7, 1946	$235,760,682 00

Of this amount $1,753,322 has already been appropriated to the State Division of Architecture but is as yet unallocated. The net available for appropriation is $144,700,360.69.

Financial Status of the State

(To be amended as appropriation bills pass from the Finance Committee of the Senate)

Financial Condition of the State at the Convening of the Extraordinary Session of the Legislature, January 7, 1946—

(1) Postwar Building Reserves—		
(a) Postwar Employment Reserve Fund	$145,000,000 00	
(b) Postwar Unemployment and Construction Fund	90,000,000 00	
(2) Estimated surplus in General Fund as of January 30, 1947, with reversions	30,000,000 00	
Total		$265,000,000 00

Non-Duplicating Appropriation Bills in the Legislature as of January 18, 1946—

Net appropriation bills introduced in the first 10 days of the special session from the Postwar Construction Reserves and General Fund, where the amount is specified and eliminating duplications	$376,321,742 00	
Total above estimate in these funds	265,000,000 00	
Surplus of appropriations over available funds		$111,321,742 00

Besides these appropriation bills there are bills making appropriations of special funds in excess of $110,000,000.

Senate appropriation bills from Construction Reserves and General Fund where amounts are shown totaled $254,684,690. Assembly bills from the same funds total $340,164,552. Duplication amounts to $218,527,500.

* Unallocated.

** Of this amount only $2,596,678 had been expended January 7, 1946.

Senate Finance Committee Recommends for Appropriation from Postwar Building Reserves and General Fund—

(1) Postwar Building Reserves—		
(a) Postwar Employment Reserve Fund	$145,000,000 00	
Appropriated		
		$145,000,000 00
(b) Postwar Unemployment and Construction Fund	$90,000,000 00	
Appropriated		
		$90,000,000 00
Balance in both funds		$235,000,000 00
(2) Estimated surplus in General Fund as of January 30, 1947	$30,000,000 00	
Appropriated by the bills approved by the Senate Finance Committee as of January 23, 1946	20,493,232 00	
Balance		$9,506,768 00

Appropriation Bills Recommended "Do Pass" by the Senate Finance Committee as of January 21, 1946—

(Unless otherwise indicated, is from General Fund)

S.B. 1—Expenses of Senate $100,000 00
January 16—To Governor

S.B. 31—Rector Canyon Dam 300,000 00
January 16—From Senate Finance Committee
January 21—In Assembly

Appropriation Bills Recommended "Do Pass" by the Senate Finance Committee as of January 23, 1946—

(Unless otherwise indicated, is from General Fund)

S.B. 3—Temporary mental hospital $1,650,000 00
S.B. 5—Land for State forests 2,000,000 00
S.B. 2—Construction of highways .....
S.B. 21—Veterans' education 750,000 00
S.B. 24—Department of Finance, surplus property for veteran housing 250,000 00
S.B. 27—Women's dormitory, Veterans' Home 300,000 00
S.B. 45—Child care centers 3,500,000 00
S.B. 65—Out-patient clinics 134,080 00
A.B. 16—Personnel Board 249,152 00
A.B. 17—Department of Finance, capital outlay 260,000 00
A.B. 35—UCLA Medical Center 7,000,000 00
A.B. 61—UC Hospital at San Francisco 4,000,000 00

Appropriations from Special Funds Approved by Senate Finance Committee as of January 21, 1946—

A.B. 2—State Lands Act funds—To Department of Justice $100,000 00
January 18—From Senate to Assembly
January 22—To Governor

Appropriation bills that have passed both houses:

A.B. 1—Expenses of the Assembly $200,000 00
January 14—To Governor

S.B. 1—Expenses of Senate 100,000 00
January 16—To Governor

A.B. 2—State Lands Act funds—To Department of Justice 100,000 00
January 22—To Governor

ADJOURNMENT

At 5.01 p.m., on motion of Senator Seawell, the President declared the Senate adjourned until 10.30 a.m., Wednesday, January 30, 1946.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-SIXTH (FIRST EXTRAORDINARY) SESSION

SENATE DAILY JOURNAL

EIGHTEENTH LEGISLATIVE DAY
TWENTY-FOURTH CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO
Wednesday, January 30, 1946

The Senate met at 10.30 a.m.
Hon. Frederick F. Houser, President of the Senate, presiding.
Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Biggar, Brown, Burns, Carter, Collier, Crittenden, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McCormack, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Ward, and Weybret—34.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Dr. Clarence A. Kircher.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Cunningham, on motion of Senator Seawell due to legislative business.

Senator Dorsey, on motion of Senator Seawell due to legislative business.

Senator Mixter, on motion of Senator Seawell due to legislative business.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Donnelly, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Joe Hart and Lt. Robert E. Hart of Modesto.

On request of Senator Quinn, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Dennis Hession of San Mateo.

On request of Senator Dilworth, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Col. Herschel Griffin of Los Angeles.

On request of Senators Gordon and Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Culever, teacher, Mr. L. Van Deren, principal, and the following eighth grade students of the Washington School, Broderick: Mildred Borges, Patricia Dennis, Beverly Dick, Norma Feher, Joyce Le Doux, Georgiana Lopes, Norma McAuliff, June McKie, Maxine Marcum, Charlene Sanitts, Dorothy Anderson, Fred Betts, David Conwell, Robert Cooper, Robert Day, John King, Clayton Netzel, Robert Snow, Jack Southard, and John Harroun; and Mrs. F. O. Johnson, principal, Mrs. A. Soost, teacher, and the following eighth grade students of the West Acres School, West Sacramento: John Camacho, Robert Castro, Steven Crater, Franklyn Dorris, Jerry Farris, David Finner, William Foust, Carl Fox, Robert Garner, George Hayes, Jack Howard, John Hull, Walter Lewis, Julian Monroy, Edward Montes, Henry Montes, Leslie Moore, Frank Murillo, Felix Oropeza, Gabriel Ortez Lenoard Ortez, Phillip Parise, Ronald Platz, Billie Roseberry, Richard Rushing, Earl Short, Carolyn Burges, Lorna Beers, Jenny Beserra, Eskia Cook, Lorna Cramblit, Rosemary Folsom, Carrol Howard, Marion Howard, Barbara Land, Shirley Leora, Mollie Marquez, Illa Mathews, Lelia McPherson, Gloria Schaffnit, Gloria Simas, Dolores Snow, Wilda Turner, Lura Younger, Caroline Zepeda, and Lois Vosburgh.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 11

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

Above resolution ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 47
Assembly Bill No. 104
Assembly Bill No. 122
Assembly Bill No. 139

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Joint Resolution No. 11
Assembly Concurrent Resolution No. 21

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

Assembly Bill No. 47—An act making an appropriation to The Regents of the University of California to meet the urgent building needs of the University of California, and in furtherance of the building program thereof.

Referred to Committee on Rules.

Assembly Bill No. 104—An act making an appropriation for student housing at the State colleges.

Referred to Committee on Rules.

Assembly Bill No. 122—An act to amend Section 185 of the Streets and Highways Code, to make an appropriation for the Revolving Fund of the Division of Highways, to take effect immediately.

Referred to Committee on Rules.

Assembly Bill No. 139—An act to add Section 66d to the Code of Civil Procedure, relating to the number of judges of the Superior Court in the County of Ventura.

Referred to Committee on Rules.

Assembly Joint Resolution No. 11—Relative to the establishment of foreign trade zones in California.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 21—Relative to motor vehicle parking facilities in Los Angeles.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 30, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 66

And reports the same correctly engrossed.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 29, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 58
Senate Bill No. 71

And reports the same correctly engrossed.

SEAWELL, Chairman

Committee on Revenue and Taxation

SENATE CHAMBER, SACRAMENTO, January 29, 1946

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred:

Assembly Bill No. 85

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committeee membership 11; committee vote: Ayes 10; absent 1.

MIXTER, Chairman

Above reported bill ordered to second reading.

Committee on Agriculture

SENATE CHAMBER, SACRAMENTO, January 29, 1946

MR. PRESIDENT: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 80

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 11; committee vote: Ayes 7; absent 4.

CRITTENDEN, Chairman

Above reported bill re-referred to Committee on Finance.

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 29, 1946

MR. PRESIDENT: Your Committee on Rules, to which were referred:

Proposed Senate Bill No. 104
Proposed Senate Bill No. 107

Has had the same under consideration, and finds that same are within the purview of the call, and directs that they be referred to the Committee on Local Government.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 29, 1946

MR. PRESIDENT: Your Committee on Rules, to which were referred:

Proposed Senate Bill No. 101
Proposed Senate Bill No. 105

Has had the same under consideration, and finds that same are within the purview of the call, and directs that they be referred to the Committee on Education.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 29, 1946

MR. PRESIDENT: Your Committee on Rules, to which were referred:

Proposed Senate Bill No. 100
Proposed Senate Bill No. 102
Proposed Senate Bill No. 103

Has had the same under consideration, and finds that same are within the purview of the call, and directs that they be referred to the Committee on Governmental Efficiency.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 29, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Proposed Senate Bill No. 106

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Finance.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 29, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Assembly Bill No. 51

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Natural Resources.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

Above reported bill re-referred to Committee on Natural Resources.

SENATE CHAMBER, SACRAMENTO, January 29, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Assembly Bill No. 28

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Public Health and Safety.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

Above reported bill re-referred to Committee on Public Health and Safety.

SENATE CHAMBER, SACRAMENTO, January 29, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Assembly Bill No. 79

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Agriculture.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

Above reported bill re-referred to Committee on Agriculture.

SENATE CHAMBER, SACRAMENTO, January 29, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Proposed Senate Bill No. 99

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Institutions.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 29, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 16

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

Above reported resolution ordered to third reading.

RESOLUTIONS

The following resolution was offered:

By the Committee on Rules:

Senate Resolution No. 22

Resolved, That the Controller be and he is hereby ordered and directed to draw his warrant on the Contingent Fund of the Senate in the sum of two hundred fifty dollars ($250) in favor of the Secretary of the Senate for postage for the Senate and the Treasurer is directed to pay the same.

DEUEL
BROWN

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Brown, DeLap, Deuel, Dillinger, Donnelly, Fletcher, Gordon, Hatfield, Judah, Kuchel, Mayo, McCormack, Parkman, Powers, Rich, Salsman, Seawell, Slater, Sutton, Swing, Ward, and Weybret—22.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following bills were introduced, and read the first time:

Senate Bill No. 99: By Senators Mayo, Keating, and Slater—An act amending Section 6101 of the Penal Code, relating to the acquisition of a site for the Medical Facility of the Department of Corrections.

Referred to Committee on Institutions.

Senate Bill No. 100: By Senator Seawell—An act to add Sections 3211.9, 3211.91, 3211.92, 3211.93, and 3211.94 to, and Chapter 10.5, comprising Sections 4351 to 4387, inclusive, to Part 1 of Division 4 of the Labor Code, and to add Article 10.7 to Chapter 1 of Division 7 of the Military and Veterans Code, relating to the furnishing of workmen's compensation benefits to disaster service workers, including the limiting of the liability of the State of California, counties, cities, and disaster councils for injuries arising out of and occurring in the course of activities as a disaster service worker, authorizing the California State Disaster Council to certify disaster councils and to make rules and regulations for the classifying and registering of disaster service workers, providing for the State Compensation Insurance Fund to act as adjusting agent, and making an appropriation for the furnishing of workmen's compensation benefits, to take effect immediately.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 101: By Senators Dorsey, Carter, Brown, Quinn, Donnelly, Hatfield, Biggar, Dillinger, Burns, Jespersen, Fletcher, Cunningham, Collier, and McBride—An act providing for a program of school district public works, creating the State School Building Commission, establishing the State School Building Fund, and making an appropriation to carry out the provisions of this act, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Senate Bill No. 102: By Senator Weybret—An act to provide for participation by the State of California in the celebration to be held at Monterey commemorating the raising of the American Flag by Commodore Sloat, creating a commission therefor, and making appropriation.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 103: By Senator Slater—An act to provide for participation by the State of California in a celebration to be held at Sonoma commemorating the raising of the Bear Flag of the California Republic, creating a commission therefor, and making an appropriation.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 104: By Senators Mayo, Carter, and Seawell—An act to add Section 126 to the Government Code, relating to the acquisition of land in this State by the United States and the consent of the Legislature to such acquisition upon the conditions and subject to the reservations in this act prescribed.

Referred to Committee on Local Government.

Senate Bill No. 105: By Senator Judah—An act to add Article 7 to Chapter 12 of Division 3 of the Education Code, relating to the support of the public schools, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Senate Bill No. 106: By Senator Seawell—An act making an appropriation for the contingent expenses of the Senate, including expenses of committees, to take effect immediately.

Referred to Committee on Finance.

Senate Bill No. 107: By Senator McBride—An act to add Section 66d to the Code of Civil Procedure, relating to the number of judges of the Superior Court in the County of Ventura.

Referred to Committee on Local Government.

CONSIDERATION OF DAILY FILE

SECOND READING OF SENATE BILLS

Senate Bill No. 82—An act to amend Section 5a of the California Air Navigation Act, and to add Section 5.1 thereto, relating to the commercial operation of aircraft between fixed termini within this State.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation:

Amendment No. 1

Strike out the title of the printed bill, and insert
"An act to amend Section 5a of the California Air Navigation Act, relating to the commercial operation of aircraft between fixed termini within this State."

Amendment No. 2

On page 1, line 7, of the printed bill, strike out "Federal", and after "authority", insert "issued by the California Railroad Commission"; and strike out "or unless such".

Amendment No. 3

On page 1 of the printed bill, strike out lines 8 to 26, inclusive.

Amendment No. 4

On page 2 of the printed bill, strike out lines 1 to 23, inclusive.

Amendments read and adopted.
Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 95—An act to provide for a program of postwar acquisition, construction, improvement and equipment of property and facilities for the protection, propagation and preservation of fish and game, and to make an appropriation to carry out such program.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 2, of the authors of the bill, following the comma after the name "Hulse," insert "DORSEY, SLATER".

Amendment read and adopted.
Bill ordered printed, and re-referred to Committee on Finance.

Senate Bill No. 84—An act making an appropriation for investigation, survey and report concerning construction and operation of public works for the control and utilization of the flood waters of Caliente Creek, Kern County, and its tributaries, an urgency measure to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Water Resources:

Amendment No. 1

On page 1, line 2, of the printed bill, after "wise appropriated, the sum of", insert "seventy-five hundred".

Amendment No. 2

On page 1, line 2, of said bill, after "dollars" which will follow the above, and within the parentheses and after the dollar sign, insert "7,500".

Amendments read and adopted.
Bill ordered printed, and re-referred to Committee on Finance.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 5—An act to extend the effective period of an act entitled "An act relating to the performance by the Department of Public

Works of highway and other cooperative work for the Federal Government, making an appropriation for administrative expenses, declaring the urgency thereof, and providing that this act shall take effect immediately," approved February 10, 1943, as amended.

Bill read second time, and ordered to third reading.

Assembly Bill No. 108—An act to amend Section 3 of an act entitled "An act authorizing any county in the State of California to aid any city operating under a freeholders' charter, or otherwise, in the State of California, in the acquisition of real or personal property for the purpose of constructing and completing improvements thereon necessary and convenient to the maintenance of airports, the flying and landing of aircraft and the maintenance of same, to take effect immediately," approved May 13, 1941, relating to publicly owned airports, declaring the urgency hereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 62—An act to amend Section 699.5 of the Military and Veterans Code, relating to assistance to veterans, prescribing the powers and duties of the Veterans' Welfare Board in aiding veterans in connection with veterans' rights, privileges, and preferences, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military and Veterans Affairs:

Amendment No. 1

Strike out lines 1 to 5, inclusive, of the title of the printed bill, as amended, and insert "An act to make an appropriation to the Veterans' Welfare Board to carry out the provisions of Section 699.5 of the Military and Veterans Code."

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 18, inclusive; and on page 2, strike out lines 1 to 6, inclusive.

Amendment No. 3

On page 2, line 7, of said bill, strike out "SEC. 2", and insert "SECTION 1".

Amendments read and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

Assembly Bill No. 106—An act to amend Section 988.3 of the Military and Veterans Code, relating to funds of the Veterans' Welfare Board.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military and Veterans Affairs:

Amendment No. 1

In line 2 of the title of the printed bill, strike out the period, and insert ", declaring the urgency thereof, to take effect immediately."

Amendment No. 2

On page 1 of said bill, after line 16, insert

"SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of

Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

With the termination of actual hostilities and the return of hundreds of thousands of veterans to civil life, the demand for farm and home purchases is rapidly increasing. If serious delays in the handling of these purchases are to be avoided, it is necessary that sufficient funds be immediately available and that this act take immediate effect."

Amendments read and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

Assembly Bill No. 74—An act to add Section 701 to the Military and Veterans Code, relating to the acceptance of guarantees by the United States of veterans' farm and home purchases.

Bill read second time, and ordered to third reading.

Assembly Bill No. 84—An act to amend Section 1039.3 to the Military and Veterans Code, relating to gifts to the Veterans' Home of California.

Bill read second time, and ordered to third reading.

Assembly Bill No. 69—An act to amend Sections 980 and 985 and to amend and renumber the article heading of the second Article 3 of Chapter 6 of Division 4 of, and to add Sections 831 and 842 to, the Military and Veterans Code, relating to the purchases of farms and homes by veterans of World War I and veterans of World War II, abolishing the Veterans' Farm and Home Building Fund, and facilitating the work of the Veterans' Welfare Board.

Bill read second time, and ordered to third reading.

Assembly Bill No. 27—An act to add Section 2206 to the Health and Safety Code, relating to mosquito abatement districts, and declaring the urgency of this act, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Health and Safety:

Amendment No. 1

On page 1, line 5, of the printed bill, as amended, after "1933.", insert "This section shall remain in effect until the ninety-first day after final adjournment of the Fifty-seventh Regular Session of the Legislature and thereafter shall be of no force or effect."

Amendment read and adopted.

Bill ordered printed, and to third reading.

Assembly Bill No. 37—An act to amend Section 2496 of the Business and Professions Code providing for increase in annual tax and registration fees.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Health and Safety:

Amendment No. 1

In line 3 of the title of the printed bill, after "fees", insert "of osteopaths".

Amendment read and adopted.

Bill ordered printed, and to third reading.

Assembly Bill No. 46—An act to amend Section 18105 of the Health and Safety Code, relating to auto courts and resorts, auto and trailer camps, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 88—An act to provide for the making of a survey of the hospital and health center facilities and needs of the State and the development of a Program for the Construction of Hospitals, and Health Centers, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health and Safety:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended, after "hospitals and" and before "health centers", insert "public".

Amendment No. 2

On page 1, line 4, of the printed bill, as amended, after "hospitals and" and before "health centers", insert "public".

Amendment No. 3

On page 1, line 17, of the printed bill, as amended, after the comma and before "to consult with", insert "and including adequate representation from the medical profession (such representatives to be chosen from amongst physicians and surgeons engaged in the full-time private practice of medicine and surgery), such State Advisory Council on Hospital Facilities".

Amendment No. 4

On page 2, line 31, of the printed bill, as amended, after "'hospital'" and before "does not", insert "includes all institutions in this State that are subject to the provisions of Chapter 2, entitled 'Hospitals', of Division 2 of the Health and Safety Code, but".

Amendment No. 5

On page 2, line 36, of the printed bill, as amended, strike out the period, and insert ", in addition, the term 'hospital' shall not include any institution excluded from that term by the provisions of any Federal hospital survey and construction act now in existence or hereafter enacted.

Sec. 5.6. As used in this act 'public health center' shall have the same meaning as given to the same term by the provisions of any Federal hospital survey and construction act now existing or hereafter enacted."

Amendment No. 6

On page 1, line 11, of the printed bill, as amended, strike out the figures "25", and insert the figures "15".

Amendments read and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

MOTION TO RE-REFER SENATE BILL NO. 82

Senator Fletcher moved that Senate Bill No. 82 be printed, and re-referred to Committee on Transportation.

Motion carried.

CONSIDERATION OF DAILY FILE (RESUMED)

Chief Assistant Secretary Cleve V. Taylor at the Desk

THIRD READING OF SENATE BILLS

Senate Bill No. 3—An act to provide for the acquisition, establishment, and operation of additional temporary hospital facilities for mental patients in State institutions, making an appropriation therefor, and declaring the urgency of the act, to take effect immediately.

Bill read third time.

Motion to Amend

Senator Seawell moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended, strike out "one million six hundred fifty thousand"; and in line 4, strike out "dollars ($1,650,000)", and insert "three million three hundred thousand dollars ($3,300,000)".

Amendment No. 2

On page 1, line 12, of the printed bill, as amended, after the period following "acquisition", insert "Consideration shall first be given to the acquisition of the DeWitt General Hospital in Placer County and the Hammond General Hospital near Modesto, declared by the Federal Government to be surplus property. In making such determination full consideration shall be given to the nature of the facilities available to best care for the patients over the period of time for which an excess population in the mental hospitals will exist during the period of construction of permanent buildings, to the lowest unit cost for such operation, including remodeling and maintenance of buildings, fire hazards and climatic conditions.".

Amendment No. 3

On page 1, line 9, of the printed bill, as amended, strike out "The Department of Finance", and insert "The State Public Works Board as created by the First Extraordinary Session of the Fifty-sixth Legislature,".

Amendments read and adopted.

Bill ordered printed, re-engrossed, and to third reading.

MOTION TO PRINT OPINIONS

Senator Hatfield moved that the opinions of the Legislative Counsel and Attorney General regarding acquisition of State parks, be ordered printed in the Journal:

Motion carried.

Opinion of Legislative Counsel

OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, January 14, 1946

Honorable George J. Hatfield, Senate Chamber
State Capitol, Sacramento, California

RESOLUTION RELATING TO APPROPRIATION FOR ACQUISITION OF PARKS PURSUANT TO CHAPTER 1422, STATUTES OF 1945—No. 6928

DEAR SENATOR HATFIELD: You state that a concurrent resolution may be introduced in the Senate expressing a legislative interpretation with reference to Chapter 1422 of the Statutes of 1945 with reference to the expenditure of the $5,000,000 made available by that act for the acquisition of State parks. The act contains the following language:

> "In selecting desirable sites for parks the primary policy of the commission shall be to provide recreational facilities for those sections of the State where such facilities are not now available and particularly in the valley, desert, and mountain areas of the interior."

The resolution declares in effect that the entire amount available for parks may be expended in a county that borders on the ocean. You asked us to advise you as to the legal effect of such a resolution and the procedure with reference to its consideration.

The adoption of such a resolution is not "legislation" and the measure has no legal effect. If there is in fact an ambiguity in Chapter 1422 of the Statutes of 1945, such a resolution would have a certain persuasive value as to the correct interpretation, but it would not be conclusive or binding either upon the courts or the administering State officials.

If the quoted portion of the act is not ambiguous, the adoption of such a resolution would have no effect whatsoever. The law can be changed only by the adoption of a new act amending Chapter 1422.

Since the adoption of a concurrent resolution of this type is not "legislating" it may be acted upon at this special session even though it does not relate to a subject contained in the proclamation convening the session.

For the same reason such a resolution may be adopted by a majority vote of each house notwithstanding the fact that the enactment of Chapter 1422 of the Statutes of 1945, to which the resolution refers, required passage by a two-thirds vote.

Very truly yours,

FRED B. WOOD, Legislative Counsel
By LAWRENCE G. ALLYN, Deputy

Opinion of Attorney General

(COPY)

SAN FRANCISCO 2, November 23, 1945

Division of Beaches and Parks
State Office Building No. 1, Sacramento, California

ATTENTION: MR. A. E. HENNING, CHIEF

GENTLEMEN: I have your communication referring to Chapter 1422, Statutes of 1945. Section 1 thereof reads as follows:

> The Department of Natural Resources through the State Park Commission is authorized and directed to make such supplemental surveys as may be necessary to determine what lands are suitable and desirable for inclusion in a well balanced System of State Parks and Beaches. In selecting desirable sites for parks the primary policy of the commission shall be to provide recreational facilities for those sections of the State where such facilities are not now available and particularly in the valley, desert, and mountain areas of the interior.

Section 4 provides in part as follows:

> The sum of fifteen million dollars ($15,000,000) is hereby appropriated to the Division of Beaches and Parks, Department of Natural Resources out of any money in the State Treasury not otherwise appropriated to be expended in the manner provided by law for lands for public recreational purposes, including the acquisition of ocean beaches, tidewater bays and inlets and including lands for park purposes, where the State Park Commission determines that such acquisition is a matter of general public and State interest.
>
> Of the moneys appropriated by this act, not more than two-thirds thereof, if expended, shall be expended for the acquisition of ocean beaches, tidewater bays and inlets.
>
> Of the moneys appropriated by this act not more than one-third thereof, if expended, shall be expended for the acquisition of lands for State park purposes.
> * * *

You inquire whether the word "sections" as used therein refers to counties as such, or should it be interpreted to mean geographical portion of the State.

Funk and Wagnall's new standard dictionary defines "section" as a "part of a country, community or people considered distinct from the rest; e.g. the section of the United States west of the Mississippi River." The word "area" is defined to be "a particular tract of country or portion of the earth's surface, as the desert area of Africa."

In my opinion the word "sections" appearing in Section 1 of said act does not mean counties, which are political subdivisions of the State, but rather refers to geographical portions of subdivisions of California. From the context of the statute it would appear that the Legislature intended the words "sections" and "areas" to be used in the same sense. As expressed in the first sentence of the act, a well-balanced system of State parks and beaches is the objective sought to be accomplished. The next sentence refers to parks as distinguished from beaches and provides in substance and effect that parks shall be established in those sections of the State where recreational facilities (which would include beaches) are not available and particularly in the valley, desert, and mountain areas of the interior. The Park Commission is vested with considerable discretion in designating those sections. A reasonable designation would be to exclude for park purposes the coastal region of the State where beach recreational facilities are available and include such portions of the interior regions as would be best suited for park purposes in the interests of the general public and the State.

You also ask for an interpretation of the words "primary policy" as they appear in Section 1 of said act. In the sense here used, policy means a course of plan of public action or a system to be adopted by the commission in the selection of park sites. "Primary" indicates first in degree, rank or importance. Hence, primary policy may be interpreted to mean the basic plan controlling the commission in its determination of desirable sites for parks. As the statute states, that plan "shall be to provide recreational facilities for those sections of the State where such facilities are not now available and particularly in the valley, desert and mountain areas of the interior."

I trust the foregoing may be of some assistance to you in administering the provisions of said act.

Very truly yours,

(Signed) ROBERT W. KENNY, Attorney General

(Signed) WARD SULLIVAN, Deputy Attorney General

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS

Senate Concurrent Resolution No. 13—Relative to memorializing the State Park Commission in regard to the acquisition of State parks.

Resolution read.

Previous Question

Senator Deuel moved the previous question.

Motion carried.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Brown, Burns, Carter, Collier, Crittenden, DeLap, Deuel, Fletcher, Gordon, Judah, Keating, Kuchel, Mayo, McCormack, Parkman, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Ward, and Weybret—24.

NOES—Senators Desmond, Donnelly, Hatfield, Hulse, Jespersen, Powers, Sutton, and Swing—8.

Resolution ordered transmitted to the Assembly.

Senate Bill No. 15—An act amending Section 634 of the Welfare and Institutions Code, relating to the appointment, selection, and removal, and term of office of probation officers, assistant probation officers, deputy probation officers and of superintendents, matrons and other employees of detention homes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Collier, Crittenden, DeLap, Desmond, Deuel, Dilworth, Fletcher, Hatfield, Jespersen, Judah, Keating, Kuchel, Mayo, McCormack, Parkman, Powers, Quinn, Rich, Seawell, Shelley, Slater, Sutton, Swing, and Ward—26.

NOES—Senators Biggar, Donnelly, Gordon, Hulse, and Salsman—5.

Bill ordered transmitted to the Assembly.

MOTION TO DISCONTINUE ACTION ON FILE

At 12.59 p.m., Senator Seawell moved that the Senate, at this time, discontinue further action on the daily file.

Motion carried.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

Senate Bill No. 19
Senate Bill No. 13

And respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

Above bills ordered to unfinished business file.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 52
Senate Bill No. 55
Senate Bill No. 23

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

Above bills ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 59
Assembly Bill No. 66
Assembly Bill No. 111
Assembly Bill No. 117
Assembly Bill No. 125
Assembly Bill No. 126
Assembly Bill No. 127

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Joint Resolution No. 10
Assembly Joint Resolution No. 13

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

Assembly Bill No. 59—An act to amend Section 4711 of the Health and Safety Code, relating to county sanitation districts.

Referred to Committee on Rules.

Assembly Bill No. 66—An act to add Section 6062.5 to the Business and Professions Code, relating to bar examinations of veterans.

Referred to Committee on Rules.

Assembly Bill No. 111—An act relating to the rights of veterans to return to public office or employment upon release from the armed services of the United States, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Rules.

Assembly Bill No. 117—An act to add Section 6076.5 to the Business and Professions Code, relating to veterans who are members of the State Bar.

Referred to Committee on Rules.

Assembly Bill No. 125—An act to amend Section 19398 of the Government Code, relating to veterans' rights in promotional examinations.

Referred to Committee on Rules.

Assembly Bill No. 126—An act to amend Sections 67.2 and Section 80.2 of the Bank Act relating to loans guaranteed in whole or in part pursuant to the Servicemen's Readjustment Act of 1944.

Referred to Committee on Rules.

Assembly Bill No. 127—An act to amend Sections 2955 and 3014.5 of the Civil Code relating to Trust Receipts on aircraft.

Referred to Committee on Rules.

Assembly Joint Resolution No. 10—Relative to a proposed conference for the prevention of juvenile delinquency.

Referred to Committee on Rules.

Assembly Joint Resolution No. 13—Relative to the use of the Aircraft Carrier Saratoga as a National shrine or its assignment for some other useful purpose in the San Francisco Bay Area.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 30, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 40

And reports the same correctly re-engrossed.

SEAWELL, Chairman

THE FOLLOWING PROPOSED BILL WAS READ, AND REFERRED TO COMMITTEE ON RULES

By Senator Carter—An act to amend Sections 4452, 4453 and 4458 of the Labor Code and to repeal Section 4460 of the Labor Code, relating to workmen's compensation.

ADJOURNMENT

At 1.04 p.m., on motion of Senator Seawell, the President declared the Senate adjourned until 10 a.m., Thursday, January 31, 1946.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-SIXTH (FIRST EXTRAORDINARY) SESSION

SENATE DAILY JOURNAL

NINETEENTH LEGISLATIVE DAY
TWENTY-FIFTH CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO
Thursday, January 31, 1946

The Senate met at 10 a.m.

Hon. Jerrold L. Seawell, President pro tempore of the Senate, presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Biggar, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Judah, Keating, Kuchel, Mayo, McCormack, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Ward, and Weybret—35.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Dr. Clarence A. Kircher.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Mixter, on motion of Senator Cunningham, due to illness.

Senator Jespersen, on motion of Senator Mayo, due to legislative business.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator DeLap, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. F. F. Showers of Antioch.

On request of Senator Brown, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Geo. Scofield of Los Angeles.

On request of Senator Powers, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. John F. Shelley

and Miss Joan Marie Shelley, wife and daughter of Senator John F. Shelley, of San Francisco.

On request of Senator Dorsey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Norbert Baumgarten, County Counsel, Kern County, Bakersfield; and Lt. Harry K. Winters, Army Air Corps, of Los Angeles.

On request of Senator Rich, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Le Roy Stuart of Marysville.

On request of Senator Donnelly, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Thomas J. Donnelly of Stockton, brother of the Senator.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 31, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Concurrent Resolution No. 16

And reports the same correctly engrossed.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 30, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Assembly Bill No. 126

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Financial Institutions.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

Above reported bill re-referred to Committee on Financial Institutions.

SENATE CHAMBER, SACRAMENTO, January 30, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Assembly Bill No. 111

Has had the same under consideration, and finds that same is within the purview of the call, and directs that same be referred to the Committee on Military and Veterans Affairs.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

Above reported bill re-referred to Committee on Military and Veterans Affairs.

SENATE CHAMBER, SACRAMENTO, January 30, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Assembly Bill No. 139

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Local Government.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

Above reported bill re-referred to Committee on Local Government.

SENATE CHAMBER, SACRAMENTO, January 30, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Assembly Bill No. 122

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Transportation.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

Above reported bill re-referred to Committee on Transportation.

SENATE CHAMBER, SACRAMENTO, January 30, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Assembly Bill No. 59

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Public Health and Safety.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

Above reported bill re-referred to Committee on Public Health and Safety.

SENATE CHAMBER, SACRAMENTO, January 30, 1946

MR. PRESIDENT: Your Committee on Rules, to which were referred:

Assembly Bill No. 66
Assembly Bill No. 117
Assembly Bill No. 127

Has had the same under consideration, and finds that same are within the purview of the call, and directs that they be referred to the Committee on Judiciary.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

Above reported bills re-referred to Committee on Judiciary.

SENATE CHAMBER, SACRAMENTO, January 30, 1946

MR. PRESIDENT: Your Committee on Rules, to which were referred:

Assembly Bill No. 47
Assembly Bill No. 104

Has had the same under consideration, and finds that same are within the purview of the call, and directs that they be referred to the Committee on Finance.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

Above reported bills re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, January 30, 1946

MR. PRESIDENT: Your Committee on Rules, to which were referred:

Assembly Bill No. 125
Assembly Joint Resolution No. 11

Has had the same under consideration, and finds that same are within the purview of the call, and directs that they be referred to the Committee on Governmental Efficiency.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

Above reported bills re-referred to Committee on Governmental Efficiency.

SENATE CHAMBER, SACRAMENTO, January 30, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Proposed Senate Bill No. 108

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Labor.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 30, 1946

MR. PRESIDENT: Your Committee on Rules, to which were referred:

Assembly Joint Resolution No. 13
Assembly Concurrent Resolution No. 21
Assembly Joint Resolution No. 10

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

Above reported resolutions ordered to third reading.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following bill was introduced, and read the first time:

Senate Bill No. 108: By Senator Carter—An act to amend Sections 4452, 4453 and 4458 of the Labor Code, and to repeal Section 4460 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

CONSIDERATION OF DAILY FILE

UNFINISHED BUSINESS

Consideration of Assembly Amendments

Senate Bill No. 13—An act to validate the organization, boundaries, governing officers or boards, acts, proceedings, and bonds of public bodies, to take effect immediately.

The question being: Shall the Senate concur in the following Assembly amendment to Senate Bill No. 13?

Amendment No. 1

On page 1, line 17, of the printed bill, as amended, after "districts," insert "local hospital districts,".

The roll was called.

Call of the Senate

Pending the announcement of the vote, Senator Slater moved a call of the Senate.

Motion carried. Time, 10.12 a.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE SENATE

CONSIDERATION OF DAILY FILE (RESUMED)

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 85—An act to add Sections 2620, 2705.1, 2922.5, 4103.5, 4149.3, and 4189 to the Revenue and Taxation Code, relating to penalties for delinquent taxes of persons in the armed forces of the United States, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended, strike out "Sections 2620, 2705.1, 2922.5, 4103.5, 4149.3 and 4189", and insert "Section 159".

Amendment No. 2

In line 3 of the title of said bill, strike out "penalties for delinquent", and insert "property".

Amendment No. 3

On page 1, line 1, of said bill, strike out "2620", and insert "159".

Amendment No. 4

On page 1 of said bill, between lines 2 and 3, insert

"159. As used in this section "period of service" means the period beginning with the date of entrance of the individual involved into the service of the armed forces of the United States or September 16, 1940, whichever is the later, and ending six

months after his separation from such service under conditions other than dishonorable or six months after the cessation of hostilities in existing wars in which the United States is engaged as declared by the President or Congress of the United States, whichever is the earlier.

Property owned by, or in which an undivided interest of not less than 50 per cent is owned by, any individual is not during his period of service subject to any penalties, interest, or costs, and no penalties, interests, or costs accruing on such property during such period need be paid for any purpose.

The amounts of any penalties, interests, and costs so accruing which have been and are hereafter collected shall, on order of the board of supervisors, be refunded as erroneously collected in the manner provided in Article 1 of Chapter 5 of Part 9 of this division, except that subdivision (b) of Section 5097 and Sections 5104 and 5106 shall not be applicable and a claim for refund based on this section may be filed within three years after the period of service or within three years after the date on which this section becomes effective, whichever is the longer.

This section is applicable to property upon which the payment of taxes or assessments is delinquent, to tax sold property, and to tax deeded property and to the payment of taxes thereon and to the redemption thereof, including all of the procedures in Part 7 of this division."

Amendment No. 5

On page 1 of said bill, strike out lines 3 to 22, inclusive; strike out all of page 2; and on page 3, strike out lines 1 to 30, inclusive.

Amendment No. 6

On page 3, line 31, of said bill, strike out "6", and insert "2".

Amendments read and adopted.

Bill ordered printed, and to third reading.

President of the Senate Presiding

At 10.20 a.m., Hon. Frederick F. Houser, President of the Senate, presiding.

THIRD READING OF SENATE BILLS

Senate Bill No. 71—An act to amend Section 2 of an act entitled "An act to add Article 7, consisting of Sections 997, 997.1, 997.2, 997.3, 997.4, 997.5, and 997.6 to Chapter 6 of Division 4 of the Military and Veterans Code, relating to aid to veterans of World War II through cooperation with the United States or agencies thereof and of this State in making Federal lands available and suitable for settlement by such veterans," approved June 25, 1945, relating to cooperation with the United States in settling veterans on Federal lands.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Fletcher, Gordon, Hatfield, Judah, Keating, Kuchel, Mayo, McCormack, Parkman, Quinn, Salsman, Seawell, Shelley, Slater Sutton, Swing, Ward, and Weybret—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 66—An act relating to the rights of veterans to return to public office or employment upon release from the armed services of the United States, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Biggar, Brown, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Fletcher, Gordon, Hatfield, Hulse, Judah, Keating,

Kuchel, Mayo, McCormack, Parkman, Powers, Quinn, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Ward, and Weybret—30.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Fletcher, Gordon, Hatfield, Hulse, Judah, Keating, Kuchel, Mayo, McCormack, Parkman, Powers, Quinn, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Ward, and Weybret—31.
NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 58—An act to add Section 701 to the Military and Veterans Code, relating to the acceptance of guarantees by the United States of veterans' farm and home purchases.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Fletcher, Gordon, Hatfield, Hulse, Judah, Keating, Kuchel, Mayo, McCormack, Parkman, Powers, Quinn, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Ward, and Weybret—31.
NOES—None.

Bill ordered transmitted to the Assembly.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH

At 10.35 a.m., on motion of Senator Slater, further proceedings under the call of the Senate were dispensed with.

The names of the absentees were called, and the Senate concurred in Assembly amendment to Senate Bill No. 13 by the following vote:

AYES—Senators Biggar, Brown, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Fletcher, Gordon, Hatfield, Hulse, Judah, Keating, Kuchel, Mayo, McCormack, Parkman, Powers, Quinn, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Ward, and Weybret—31.
NOES—None.

Senate Bill No. 13 ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 3—An act to provide for the acquisition, establishment, and operation of additional temporary hospital facilities for mental patients in State institutions, making an appropriation therefor, and declaring the urgency of the act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Biggar, Brown, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Fletcher, Gordon, Hatfield, Hulse, Keating, Kuchel, Mayo, McCormack, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, and Ward—30.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Fletcher, Gordon, Hatfield, Hulse, Keating,

Kuchel, Mayo, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, and Ward—29.
NOES—None.

Bill ordered transmitted to the Assembly.

Request for Unanimous Consent

Senator Crittenden asked for, and was granted, unanimous consent to have Senator Seawell made a co-author of Senate Bill No. 3.

REQUEST FOR UNANIMOUS CONSENT

Senator Seawell asked for, and was granted, unanimous consent to have the following Report of the Legislative Auditor, regarding DeWitt General Hospital, printed in the Journal:

Report Regarding DeWitt General Hospital

INTER-DEPARTMENTAL COMMUNICATION

STATE OF CALIFORNIA, SACRAMENTO 14, January 24, 1946

To: Mr. R. A Vandegrift, Legislative Auditor
From: Legislative Budget Committee
Stauffer and Reimel

SUBJECT: DEWITT GENERAL HOSPITAL, AUBURN, CALIFORNIA

1. DeWitt General Hospital, an Army installation, is located about four miles north of Auburn, California, on the Auburn-Grass Valley Highway. The installation was started in the latter part of 1943, and much of the construction work has been only recently completed. On January 24, 1945, the installation was visited and Captain Leonhardt, Post Engineer of DeWitt General Hospital supplied the following information.

2. The fenced-in area consists of 215.68 acres, much of which is open fields and that portion upon which buildings are constructed amounts to about 25 acres. The hospital buildings are set back from the highway about one-half mile. The general terrain is one of rolling hills. Transportation to the area is by bus from the city of Auburn, California. The hospital is not connected by rail transportation to outside areas.

3. The water supply for the installation comes from the Nevada Irrigation District. The raw untreated water is brought into a 5,000,000-gallon reservoir and from that point to a filtration plant and then on by pump to the hospital. Filtered water is kept in a 500,000-gallon reservoir; this amount being available to the installation at all times.

4. The installation is heated by means of a central heating unit housed in a solid concrete building. The unit is a steam heating one, the energy being supplied by oil burners. There are three 750 h.p. Sterling water tube boilers in the unit. The Post Engineer claims the unit is one of the best in any Army installation.

5. A sewage disposal plant services the installation. This plant contains both chemical and incinerator units and according to the Post Engineer the plant has been of satisfaction.

6. The hospital was constructed to house 1,870 bed patients, but at various times the hospital has cared for an additional 25 per cent, and there was no harmful results of overloading. Captain Leonhardt estimates that conversion of some of the barracks to wards has increased the present capacity to about 2,500.

7. All buildings in the installation are constructed of solid brick with the exception of (1) motor pool, (2) gymnasium, (3) and detachment buildings for attendants' quarters. All wards, clinics, nurses' quarters, administration buildings and others are constructed of solid brick. The installation in Army terms is known as "modified cantonment" in construction.

8. There are sprinkler systems installed for fire protection in all wards and corridors except the four detention wards and the clinics. These last mentioned places are equipped with an "aero system" of fire protection. This system consists of a thin copper tubing in the ceiling of each room. Heat affects the copper and sounds an alarm both at local fire boxes and the central fire house in the area. The area is equipped with a central fire house, there being at the present time two modern pieces of fire equipment.

9. The hospital wards are of two types: (1) Combination wards, an overall length of 287 feet 8 inches. In the combination ward there are private rooms and in addition 88 feet of open bed space. In each ward there are washrooms, lavatories, utilities rooms, and a kitchen. At the end of each ward there is a solarium measuring 11 feet eight inches by 30 feet. All wards are 30 feet in width. (2) Standard wards are the same as the combination except that private room space has been eliminated and open bed space of greater area provided. In the standard wards there are approximately 176 feet by 30 feet of bed space. There are solariums at each end of all ward buildings.

10. According to the Post Engineer, all equipment is being shipped out by the Army to other points or being disposed of by sale. In addition to the hospital wards, there are entertainment facilities, such as theater and club rooms. There are recreational facilities included in the installation such as handball courts and tennis courts. At the present time there is a regular post office unit and a post exchange being operated at the hospital. All patients have been removed, but there are maintenance crews, some WACs, administrative officers, and some prisoners of war making use of the hospital facilities.

11. Food is prepared in mess kitchens, there being two messes, a large mess for the enlisted patients and a smaller one for the officer patients. All ward patients of ambulatory nature are served food in one of the two messes. All other patients are given food at the ward, the food being delivered by food servers from the main mess kitchens and then reheated at the individual ward kitchens.

12. All buildings in the installation are of one-story construction except the administration and nurses' quarters, which are of two-story construction. Four large warehouses are stored with surgical equipment and other hospital needs. This equipment could probably be purchased.

13. According to the Post Engineer, the hospital is in readiness for capacity population without additional expenditure with the exception of installing air conditioning in the remainder of the buildings; two wards and the clinical buildings are now equipped with air conditioning. South doors in nearly all buildings of the installation should be replaced with more suitable materials.

14. In addition to the two types of wards as previously mentioned, there are four detention wards for the more violent mental cases. These wards are equipped with safety devices and are of the same overall dimensions as the combination wards. There are heavy mesh steel screens, and rounded fixtures in the wards so that danger of falls and contact is eliminated.

15. Much of the equipment in the clinics has been removed. The dental clinic, however, is fully equipped for immediate operation, as are some of the other clinical departments.

16. All passageways between buildings in the installation are of solid brick construction and fireproofed with sprinkling systems.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Concurrent Resolution No. 12—Relative to requesting The Regents of the University of California and the State Board of Education to study the need for expansion of higher education facilities at Sacramento Junior College, and to report thereon to the Legislature.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Brown, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Fletcher, Gordon, Hatfield, Hulse, Judah, Keating, Kuchel, Mayo, McCormack, Parkman, Quinn, Salsman, Seawell, Shelley, Slater, Sutton, Ward, and Weybret—29.

NOES—None.

Resolution ordered transmitted to the Assembly.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 53—An act to amend Section 9552 of the Business and Professions Code, relating to owners and managers of clothes cleaning establishments, of cleaning and dyeing shops, and spotting, spong-

ing and pressing establishments, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Shelley.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Biggar, Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Judah, Keating, Kuchel, Mayo, McCormack, Parkman, Powers, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Ward, and Weybret—32.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Judah, Keating, Kuchel, Mayo, McCormack, Powers, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Ward, and Weybret—30.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 18—An act to repeal Section 2 of Chapter 1235, Statutes of 1945, relating to the period during which provisions of the Agricultural Code governing disposal of garbage from vessels and aircrafts shall be effective.

Bill read third time, and presented by Senator Hatfield.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Judah, Keating, Kuchel, Mayo, McCormack, Parkman, Powers, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Ward, and Weybret—31.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 16—An act making an additional appropriation for support of the State Personnel Board in the Ninety-seventh and Ninety-eighth Fiscal Years, to take effect immediately.

Bill read third time, and presented by Senator Rich.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Judah, Keating, Kuchel, Mayo, McCormack, Parkman, Powers, Rich, Salsman, Seawell, Slater, Sutton, Swing, Ward, and Weybret—30.
NOES—None.

Bill ordered transmitted to the Assembly.

REQUEST FOR UNANIMOUS CONSENT

Senator Rich asked for, and was granted, unanimous consent that the following statement by the State Department of Finance regarding Assembly Bill No. 17 be ordered printed in the Journal:

Statement by State Department of Finance Relative to Assembly Bill No. 17 (Wollenberg)

This act makes an appropriation to meet the increased cost of various items of construction, alterations, and improvements, the appropriations for which were made available by acts of previous Legislatures. Actual construction of these projects,

however, could not be undertaken because of war conditions. (Detail of the items covered is attached.)

Additional Amounts Required to Complete Work Orders Pending December 20, 1945

Department of Mental Hygiene	$166,290 00
Detail attached	
Department of Education—	
California School for the Blind—	
Fireproofing boiler room	9,477 00
California School for the Deaf—	
Flood control	4,700 00
Department of Corrections—	
California Institution for Men—	
Vocational and shop building	47,300 00
Veterans' Home of California—	
Boiler	10,000 00
Department of Finance—	
Improve Court Room—Los Angeles	4,250 00
Paint Exterior Office Building No. 2—Sacramento	1,700 00
Improve Court Room—San Francisco	13,400 00
Total	$257,117 00

Agnews State Hospital—					
W. O. 660	$22,186 00	Three physicians' residences	$22,814 00		
W. O. 845	20,000 00	Warehouse	6,667 00		
W. O. 890	48,000 00	Reconstruction of power house	16,000 00		
W. O. 916	8,000 00	Improve laundry building	2,667 00		
W. O. 1179	2,500 00	Well	1,500 00		$49,648 00
Camarillo State Hospital—					
W. O. 489	58,762 00	Sewage system	19,587 00		
W. O. 502	10,500 00	Hog plant	3,500 00		
W. O. 503	6,500 00	Addition to milk barn	2,167 00		
W. O. 958	30,000 00	Addition to water supply	10,000 00		
W. O. 959	9,000 00	Water softening equipment	3,000 00		38,254 00
Napa State Hospital—					
W. O. 860	13,000 00	Alteration and additions, milk house	4,333 00		
W. O. 1109	16,200 00	Replace steam and gas system	5,400 00		9,733 00
Norwalk State Hospital—					
W. O. 699	32,000 00	Women's Industrial building			10,667 00
Patton State Hospital—					
W. O. 691	46,500 00	Ward building at farm			15,500 00
Stockton State Hospital—					
W. O. 995	12,000 00	Addition to poultry plant	4,000 00		
W. O. 996	41,641 00	Milk house	13,880 00		17,880 00
Pacific Colony—					
W. O. 923	30,000 00	Improvements to boiler plant	10,000 00		
W. O. 1183	7,200 00	San Jose Creek	2,400 00		12,400 00
Sonoma State Home—					
W. O. 753	18,000 00	Additions to water system	6,000 00		
W. O. 761	18,625 00	Additions to sewage plant	6,208 00		12,208 00
					$166,290 00

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Concurrent Resolution No. 8—Relative to commending the members of the California State Guard, and requesting The Adjutant

General to procure a suitable pin for presentation to each released member as evidence of his honorable discharge.

Resolution read, and presented by Senator Quinn.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Burns, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Dorsey, Gordon, Hatfield, Judah, Keating, Kuchel, Mayo, McCormack, Parkman, Powers, Quinn, Salsman, Seawell, Shelley, Slater, Sutton, Ward, and Weybret—28.
NOES—None.

Resolution ordered transmitted to the Assembly.

Assembly Concurrent Resolution No. 22—Requesting the State Board of Harbor Commissioners for San Francisco Harbor to investigate and report to the Legislature upon a proposed world trade center.

Resolution read, and presented by Senator Shelley.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Brown, Carter, Collier, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Judah, Keating, Kuchel, Mayo, Parkman, Powers, Quinn, Salsman, Seawell, Shelley, Slater, Sutton, Ward, and Weybret—29.
NOES—None.

Resolution ordered transmitted to the Assembly.

Chief Assistant Secretary Cleve V. Taylor at the Desk

Assembly Bill No. 82—An act to add Article 5, comprising Sections 20920 to 20922, inclusive, to Chapter 7 of Part 3 of Division 5 of Title 2 of the Government Code relating to the State Employees' Retirement System, providing for crediting service in the United States Employment Service as State service to certain members and under certain conditions specified therein, and providing for contributions by members and by the State in respect to such service.

Bill read third time, and presented by Senator Desmond.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Judah, Keating, Kuchel, Mayo, Parkman, Quinn, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Ward, and Weybret—29.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 72—An act to amend Sections 395.2 and 395.8 of the Military and Veterans Code, and Section 13204.1 of the Education Code, and Section 19393 of the Government Code, relating to the reinstatement of public employees after release from military service and service in the Merchant Marine or the American Red Cross.

Bill read third time, and presented by Senator Quinn.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Fletcher, Gordon, Hatfield, Hulse, Judah, Keating, Kuchel, Mayo, McCormack, Parkman, Quinn, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Ward, and Weybret—32.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 70—An act to repeal Sections 877, 981.6 and 985.4 of the Military and Veterans Code, relating to eligibility of veterans for educational aid and farm and home purchases.

Bill read third time, and presented by Senator Quinn.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Kuchel, Mayo, Parkman, Powers, Quinn, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Ward, and Weybret—30.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 14—An act to add Section 973 to the Military and Veterans Code, relating to the county service officer, to take effect immediately.

Bill read third time, and presented by Senator Salsman.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Biggar, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Dillinger, Dilworth, Donnelly, Fletcher, Gordon, Hatfield, Judah, Keating, Kuchel, Mayo, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Slater, Swing, Ward, and Weybret—28.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Donnelly, Fletcher, Gordon, Hatfield, Hulse, Judah, Keating, Kuchel, Mayo, McCormack, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Swing, Ward, and Weybret—32.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Concurrent Resolution No. 19—Relative to commending the members of the safety meeting of representative citizens at Upland and Ontario, California, and the vicinity thereof.

Resolution read, and presented by Senator Swing.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Dillinger, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Kuchel, Mayo, McCormack, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Swing, Ward, and Weybret—28.
NOES—None.

Resolution ordered transmitted to the Assembly.

Assembly Joint Resolution No. 12—Relative to protein feed concentrates.

Resolution read, and presented by Senator Crittenden.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Fletcher, Gordon, Hatfield, Hulse, Judah, Keating, Kuchel, Mayo, McCormack, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Ward, and Weybret—34.
NOES—None.

Resolution ordered transmitted to the Assembly.

Assembly Bill No. 5—An act to extend the effective period of an act entitled "An act relating to the performance by the Department of Public Works of highway and other cooperative work for the Federal Government, making an appropriation for administrative expenses, declaring the urgency thereof, and providing that this act shall take effect immediately," approved February 10, 1943, as amended.

Bill read third time, and presented by Senator McCormack.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Fletcher, Gordon, Hatfield, Hulse, Judah, Keating, Kuchel, Mayo, McCormack, Parkman, Powers, Quinn, Salsman, Seawell, Slater, Sutton, Swing, Ward, and Weybret—31.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 108—An act to amend Section 3 of an act entitled "An act authorizing any county in the State of California to aid any city operating under a freeholders' charter, or otherwise, in the State of California, in the acquisition of real or personal property for the purpose of constructing and completing improvements thereon necessary and convenient to the maintenance of airports, the flying and landing of aircraft and the maintenance of same, to take effect immediately," approved May 13, 1941, relating to publicly owned airports, declaring the urgency hereof, to take effect immediately.

Bill read third time, and presented by Senator Burns.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Biggar, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Judah, Keating, Kuchel, Mayo, Parkman, Powers, Rich, Seawell, Swing, Ward, and Weybret—28.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Dorsey, Hatfield, Hulse, Judah, Keating, Kuchel, Mayo, Parkman, Powers, Quinn, Rich, Seawell, Shelley, Slater, Swing, Ward, and Weybret—29.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 74—An act to add Section 701 to the Military and Veterans Code, relating to the acceptance of guarantees by the United States of veterans' farm and home purchases.

Bill read third time, and presented by Senator Quinn.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Judah, Keating, Kuchel, Parkman, Powers, Quinn, Seawell, Shelley, Slater, Sutton, Swing, Ward, and Weybret—29.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 84—An act to amend Section 1039.3 to the Military and Veterans Code, relating to gifts to the Veterans' Home of California.

Bill read third time, and presented by Senator Quinn.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Judah, Keating, Kuchel, Mayo, Parkman, Powers, Quinn, Rich, Seawell, Shelley, Slater, Sutton, Swing, Ward, and Weybret—32.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 69—An act to amend Sections 980 and 985 and to amend and renumber the article heading of the second Article 3 of Chapter 6 of Division 4 of, and to add Sections 831 and 842 to, the Military and Veterans Code, relating to the purchases of farms and homes by veterans of World War I and veterans of World War II, abolishing the Veterans' Farm and Home Building Fund, and facilitating the work of the Veterans' Welfare Board.

Bill read third time, and presented by Senator Quinn.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Judah, Keating, Kuchel, Mayo, Parkman, Powers, Rich, Seawell, Shelley, Slater, Sutton, Swing, Ward, and Weybret—30.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 37—An act to amend Section 2496 of the Business and Professions Code, providing for increase in annual tax and registration fees.

Bill read third time, and presented by Senator Collier.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Dorsey, Hatfield, Hulse, Judah, Keating, Kuchel, Mayo, Parkman, Powers, Quinn, Rich, Seawell, Shelly, Slater, Sutton, Swing, Ward, and Weybret—29.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 46—An act to amend Section 18105 of the Health and Safety Code, relating to auto courts and resorts, auto and trailer camps, to take effect immediately.

Bill read third time, and presented by Senator Keating.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Biggar, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Hulse, Judah, Keating, Kuchel, Mayo, McCormack, Parkman, Powers, Quinn, Rich, Seawell, Shelley, Slater, Sutton, Ward, and Weybret—29.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Judah, Keating,

Kuchel, Mayo, McCormack, Parkman, Powers, Quinn, Rich, Seawell, Shelley, Slater, Sutton, Ward, and Weybret—30.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 27—An act to add Section 2206 to the Health and Safety Code, relating to mosquito abatement districts, and declaring the urgency of this act, to take effect immediately.

Bill read third time, and presented by Senator Rich.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Biggar, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Judah, Keating, Kuchel, Mayo, McCormack, Parkman, Powers, Quinn, Rich, Seawell, Shelley, Slater, Sutton, Ward, and Weybret—31.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Judah, Keating, Kuchel, Mayo, McCormack, Parkman, Powers, Quinn, Rich, Seawell, Shelley, Slater, Sutton, Ward, and Weybret—30.
NOES—None.

Bill ordered transmitted to the Assembly.

Secretary J. A. Beek at the Desk

MOTION TO DISCONTINUE ACTION ON FILE

At 12.24 p.m., Senator Seawell moved that the Senate, at this time, discontinue further action on the daily file.

Motion carried.

WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 63

Senator Desmond moved that Senate Bill No. 63 be withdrawn from Committee on Local Government, for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 63—An act to provide for the establishment, organization, government and powers of community service districts, authorizing such districts to levy taxes, and to incur bonded indebtedness for improvements.

Bill read second time.

Motion to Amend

Senator Desmond moved the adoption of the following amendments:

Amendment No. 1

On page 2 of the printed bill, strike out lines 3 to 13, inclusive, and insert

"SEC. 30. Whenever any district is formed under this act, all other types of districts mentioned in Chapter 1, Part 4, of this act lying wholly within such district, are dissolved, and all funds, property, and obligations (except the bonded indebtedness) of such other districts shall become the funds, property, and obligations of the district created hereunder.

SEC. 31. Whenever any territory is annexed to a district, all other types of districts referred to in Chapter 1, Part 4, of this act lying wholly within such annexed

territory, or wholly within the new boundaries of the district are dissolved, and all funds, property, and obligations (except the bonded indebtedness) of such other districts shall become the funds, property, and obligations of the district created hereunder.

SEC. 32. The bonded indebtedness of a dissolved district shall continue to be an obligation of the territory which was within such dissolved district unless on petition of 10 per cent of the qualified electors residing within the territory which was within the dissolved district a proposition for the assumption of such indebtedness by the entire district created hereunder is placed on the ballot at a regular district election and receives a favorable vote by the majority of those voting thereon.

SEC. 33. The District Investigation Act of 1933 shall apply to the formation of a district, except for the provisions of Section 4, and except that in the itemized property statement required by subdivision (f) of Section 6 thereof, the information required may be shown by taxing areas rather than by each separate parcel of real property, and paragraph (3) of subdivision (f) shall not apply."

Amendment No. 2

On page 2 of said bill, strike out lines 19 to 25, inclusive, and insert

"SEC. 101. A district may include territory within any other kind of district or public corporation except territory within an incorporated city.

SEC. 102. The land comprising a district shall be contiguous. Parts of a district are contiguous if attached by strips of land which are populated and can derive benefits by reason of the formation of the district."

Amendment No. 3

On page 2 of said bill, strike out lines 36 to 38, inclusive, and insert

"(d) The signatures and addresses of Voters representing at least 25 per cent of the holders of title or evidence of title to the land situate within the limits of the proposed district, which includes both subdivided or densely populated areas, or both, and farming or industrial areas, or both, representing 25 per cent of the value of the land included in said limits, as the value thereof is shown on the last equalized assessment roll of the county. For the purposes of this act only owners of land in fee and purchasers of land under written agreement shall be qualified to sign such petition."

Amendment No. 4

On page 2 of said bill, strike out lines 44 to 48, inclusive, and insert

"SEC. 112. The petition shall be presented at a regular meeting of the board of supervisors. Thereupon such board shall require the clerk of such board to ascertain whether the petition is signed by the requisite number of qualified signers and whether it correctly describes the boundaries of the proposed district, and to make report thereon to the board within 30 days. If the report shall show either that the petition is not signed by the requisite number of qualified signers or that the boundaries are inaccurately described, or both, then such board shall be without jurisdiction further to proceed in the matter.

SEC. 113. If the report shows that the petition is signed by the requisite number of qualified signers and accurately describes the boundaries of the proposed district, then the board of supervisors shall direct its clerk to accept the petition for filing and to file the same when the petitioners shall have deposited with the clerk the amount of money fixed by such board to defray the costs of the organization of the district.

SEC. 114. If the filing of a formation petition shall occur within 15 days from the date when the clerk is directed to accept the petition for filing, at its next regular meeting the board shall fix a time for hearing thereon and shall direct its clerk to cause a notice stating the time of such hearing to be published for at least two weeks before the time fixed for such hearing, in some newspaper of general circulation printed and published in the county.

SEC. 115. When the petition comes on for hearing the board of supervisors shall hear the same and may adjourn the hearing from time to time not exceeding two months in all, and on the final hearing shall make such changes in the proposed boundaries as the board of supervisors may find to be proper, shall establish and define such boundaries, and shall ascertain and determine how many inhabitants reside within such boundaries; provided that any changes in such boundaries made by such board of supervisors shall not include any territory outside of the boundaries described in the petition. The boundaries so established by the board of supervisors shall be the boundaries of the district until by action authorized by law for the annexation of additional territory to, or the taking of territory from, the district, such boundaries shall be changed."

Amendment No. 5

On page 3 of said bill, strike out lines 5 to 10, inclusive, and insert

"SEC. 120. At the time of establishing the boundaries of the proposed district, the board of supervisors shall give notice of an election to be held in such proposed district for the purpose of determining whether it shall be formed, and for the purpose of electing the first board of directors if the board of supervisors be not designated as the governing body, as hereinafter provided."

Amendment No. 6

On page 3 of said bill, strike out lines 23 to 29, inclusive, and insert

"SEC. 123. The board of supervisors may pay the cost of the formation election, if the district is formed, or may reimburse the petitioners for their expenditures therefor by means of a special tax on all the taxable property which is proposed for inclusion in the district, which tax shall be added to the next county tax bills by the proper officials of the county."

Amendment No. 7

On page 3 of said bill, between lines 43 and 44, insert

"SEC. 131.5. The ballot shall also contain two alternative propositions substantially as follows: "For government by the county board of supervisors" and "for government by an independent board of directors" each of which shall be followed by enclosed voting spaces.

SEC. 131.6. The ballot shall also contain the names of those persons who have qualified as candidates for the office of director by filing a sufficient nomination paper therefor under Part 6 of this act with the county clerk at least 20 days prior to the date of the formation election."

Amendment No. 8

On page 4 of said bill, strike out lines 16 to 21, inclusive, and insert

"SEC. 150. If upon the canvass it appears that a majority of all the votes cast at the formation election is "community service district—yes," the board of supervisors shall canvass the vote for and against an independent board of directors. If a majority of the votes cast is in favor of government by the board of supervisors, the board of supervisors shall thereafter exercise all powers conferred by this act on the board of directors of a district, without regard to the provision fixing the directors' terms or compensation.

SEC. 150.5. If upon the canvass it appears that a majority of the votes cast is in favor of government by an independent board of directors, the board of supervisors shall canvass the votes for the office of director and shall declare the five candidates receiving the highest number of votes to be duly elected."

Amendment No. 9

On page 5 of the printed bill, strike out lines 16 to 18, inclusive, and insert

"SEC. 205. Each director shall receive such compensation as the board by ordinance shall provide, not to exceed the sum, however, of five dollars ($5) per meeting, for not to exceed five meetings in any calendar month."

Amendment No. 10

On page 6 of said bill, between lines 44 and 45, insert

"SEC. 306. A district has all the powers necessary or convenient for collecting and disposing of garbage and other refuse matter that are now or may hereafter be conferred on garbage disposal districts by Chapter 1, Part 2, Division 5 of the Health and Safety Code, and all acts supplementary thereto.

SEC. 307. A district has all the powers necessary or convenient for the extermination of any plant, animal, insect, fish, or other matter or material not under human control, which is offensive to the senses or interferes with the comfortable enjoyment of life, that are now or may hereafter be conferred on pest abatement districts by Chapter 8, Division 3 of the Health and Safety Code, and all acts supplementary thereto.

SEC. 308. A district has all the powers necessary or convenient for establishing, maintaining and operating hospitals and nurses training schools that are now or may hereafter be conferred on local hospital districts by Division 23 of the Health and Safety Code, and all acts supplementary thereto."

Amendment No. 11

On page 8 of said bill, strike out lines 5 to 11, inclusive, and insert

"SEC. 400. All moneys belonging to or for the use of a district shall be paid to the county treasurer who shall be ex officio the treasurer of the district. Money shall be withdrawn from district funds on deposit with the treasurer only on warrants issued pursuant to claims approved by the board. Such warrants must be signed by the president or vice president of the board and the secretary."

Amendment No. 12

On page 8 of said bill, strike out lines 50 to 52, inclusive; and on page 9, strike out lines 1 to 16, inclusive, and insert

"SEC. 420. The board of supervisors of the county in which a district is located shall, at the time of levying the county taxes, levy annually a tax upon all the taxable property within the district sufficient to defray the cost of the maintenance thereof and of making all expenditures authorized by this act in connection therewith, on the basis of a budget prepared and approved as provided in Chapter 5, Title 9, Part 3 of the Political Code.

SEC. 420.5. No tax levy so levied for such district by the board of supervisors shall exceed the sum of the following tax limits indicated for each major power

exercised under this act at the time the district's budget is submitted to the board of supervisors.

Power exercised		*Tax Limit (per $100 assessed valuation)*
Water	Sec. 300	----
Street lighting	Sec. 301	----
Fire protection	Sec. 302	----
Airports	Sec. 303	----
Parks	Sec. 304	----
Sewers	Sec. 305	----
Garbage disposal	Sec. 306	----
Pest abatement	Sec. 309	----
Hospitals	Sec. 310	.20

SEC. 421. The State Board of Equalization, the county clerk, the county assessor, the county tax collector, the county treasurer, and the county auditor of the county in which the district is located shall, without additional compensation, be vested with like powers and duties with relation, respectively, to the assessment, equalization and collection of district taxes as they are vested with relation to county taxes.

Amendment No. 13

On page 9 of said bill, strike out lines 45 to 49, inclusive, and insert

"SEC. 500. The election on the question of formation of the district and all general district elections shall be held and conducted and the result thereof ascertained, determined and declared in accordance with the general election laws of the State, as nearly as may be."

Amendment No. 14

On page 10 of said bill, strike out lines 13 to 15, inclusive, and insert

"SEC. 520. All elections of directors after the formation election, in a district governed by an independent board, shall be held on the first Tuesday after the first Monday in November of each even-numbered year. The board of directors shall in the notice, ordinance or resolution calling such election consolidate the same with the election to be held at the same time in the county where the district is located."

Amendment No. 15

On page 10 of said bill, strike out lines 48 to 51; and strike out all of page 11, and insert

"SEC. 525. The nominating petitions shall be circulated and presented to the secretary of the district within the period provided by general law for circulation and presentation of independent nomination papers.

SEC. 526. When a petition is presented for filing the secretary shall forthwith examine it and ascertain whether or not it conforms with this part. If found not sufficient it shall be returned to the person who presented it. If the petition is found sufficient, and the candidate has filed his affidavit of candidacy, the secretary shall certify the name of the person so nominated to the county clerk. All such certifications must be made within 10 days after the final day for presentation of nominating petitions.

PART 7. CHANGES IN BOUNDARY

CHAPTER 1. ANNEXATIONS

SEC. 600. The boundaries of any district may be altered and new territory included therein after proceedings had as required in this chapter.

SEC. 601. The board of supervisors shall upon receiving a petition therefor signed by not less than one-fifth of the qualified electors thereof as shown by the vote cast at the last election within the district, submit to the electors of such district and to the electors residing in the territory proposed by such petition to be annexed to such district the question whether such territory shall be annexed to such district and become a part thereof.

SEC. 602. Such question shall be submitted at a special election to be called for that purpose by the board of supervisors and such board shall give notice thereof by posting a notice thereof in three public places in the district and three public places within the territory proposed to be annexed, for a period of four weeks prior to such election.

SEC. 603. The notice shall distinctly state the proposition to be submitted and shall designate specifically the boundaries of the territory to be annexed and the electors shall be invited thereby to vote upon such annexation by placing upon their ballots the words "for annexation" or "against annexation," or words equivalent thereto. Such board shall also designate the place or places at which the polls will be opened in the territory proposed to be annexed, which place or places shall be that of those usually used for that purpose within such territory, if any such there be. Such board shall also appoint and designate in such notice the names of the officers of election.

SEC. 604. The board of supervisors shall meet on the Monday next succeeding the day of such election and proceed to canvass the votes cast thereat.

SEC. 605. The votes cast in the territory proposed to be annexed shall be canvassed separately, and if it shall appear upon such canvass that a majority of all the

votes cast in such territory and a majority of all votes cast in such district shall be for annexation, the board of supervisors shall by an order entered upon its minutes cause the clerk to make and transmit to the Secretary of State a certified abstract of such vote; which abstract shall show the whole number of electors voting in such territory, the whole number of electors voting in such district, the number of votes cast in each for annexation and the number of votes cast in each against annexation.

SEC. 606. From and after the date of filing of such abstract such annexation shall be deemed complete and thereafter such territory shall be and remain a part of such district. But no property within such territory so annexed shall ever be taxed to pay any portion of any indebtedness of such district contracted prior to or existing at the date of such annexation.

SEC. 607. The proponents of the petition must, prior to the calling of the election, deposit with the board of supervisors a sum sufficient to pay the cost of the proceeding, as estimated by such board, and, if the annexation is approved, the board shall reimburse the petitioners, and may levy a special tax therefor on all the taxable property in the district, including the annexed portion, which tax shall be added to the next county tax bills by the proper officials of the county."

Amendments read and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 13

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

Above resolution ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

Senate Bill No. 50

And respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

Above bill ordered to unfinished business file.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 48
Assembly Bill No. 94
Assembly Bill No. 121
Assembly Bill No. 129

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

Assembly Bill No. 48—An act to add Section 13001.1 to the Education Code, relating to the validation of acts of governing boards of school districts in employing and compensating persons employed in positions requiring certification qualifications, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Rules.

Assembly Bill No. 94—An act to amend Sections 6726 and 7012.5 and to repeal Sections 6726.1 and 7012.6 of the Welfare and Institutions Code, relating to the support of mental patients in boarding homes, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Rules.

Assembly Bill No. 121—An act authorizing The Regents of the University of California to issue and sell bonds to provide funds for the acquisition, of real property, and for the erection, equipping, and furnishing thereon, or upon other real property owned by the said Regents of the University of California, of dormitories or other housing facilities for the use of students or employees of the University of California, declaring the urgency thereof, and to provide that this act shall take effect immediately.

Referred to Committee on Rules.

Assembly Bill No. 129—An act to add Section 11781.5 to the Insurance Code, relating to branch offices of the State Compensation Insurance Fund.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Social Welfare

SENATE CHAMBER, SACRAMENTO, January 30, 1946

MR. PRESIDENT: Your Committee on Social Welfare, to which was referred:

Senate Bill No. 88

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 6; absent 5.

MAYO, Chairman

Above reported bill ordered to second reading.

Committee on Finance

SENATE CHAMBER, SACRAMENTO, January 30, 1946

MR. PRESIDENT: Your Committee on Finance, to which was referred:

Senate Bill No. 92

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Military and Veterans Affairs.

Committee membership 11; committee vote: Ayes 10; absent 1.

RICH, Chairman

Above reported bill re-referred to Committee on Military and Veterans Affairs.

SENATE CHAMBER, SACRAMENTO, January 30, 1946

MR. PRESIDENT: Your Committee on Finance, to which were referred:

Senate Bill No. 83
Senate Bill No. 90
Assembly Bill No. 60
Assembly Bill No. 80

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 11; committee vote: Ayes 10; absent 1.

RICH, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, January 30, 1946

MR. PRESIDENT: Your Committee on Finance, to which were referred:

Senate Bill No. 32
Senate Bill No. 33
Senate Bill No. 49
Senate Bill No. 60
Senate Bill No. 70
Senate Bill No. 85
Senate Bill No. 78
Assembly Bill No. 15

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 10; absent 1.

RICH, Chairman

Above reported bills ordered to second reading.

ADJOURNMENT

At 12.31 p.m., on motion of Senator Seawell, the President declared the Senate adjourned until 10 a.m., Friday, February 1, 1946.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-SIXTH (FIRST EXTRAORDINARY) SESSION

SENATE DAILY JOURNAL

TWENTIETH LEGISLATIVE DAY

TWENTY-SIXTH CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO
Friday, February 1, 1946

The Senate met at 10 a.m.

Hon. Frederick F. Houser, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Biggar, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Judah, Keating, Kuchel, McCormack, Parkman, Powers, Rich, Salsman, Seawell, Shelley, Slater, Sutton, and Ward—29.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Dr. Clarence A. Kircher.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Mayo, on motion of Senator Deuel, due to illness in family.

Senator Weybret, on motion of Senator Brown, due to legislative business elsewhere.

Senator Mixter, on motion of Senator Cunningham, due to illness.

Senator Quinn, on motion of Senator Gordon, due to illness in family.

Senator Burns, on motion of Senator Seawell, due to legislative business elsewhere.

Senator Fletcher, on motion of Senator Seawell, due to legislative business elsewhere.

Senator Jespersen, on motion of Senator Seawell, due to legislative business elsewhere.

Senator Swing, on motion of Senator Seawell, due to legislative business elsewhere.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Gordon, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Jimmie Miller of the Housing Authority, of Napa; George Solomon, Business Manager

of the Napa County Building and Trades Council and the Central Labor Council of Napa.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Bill Upton III, Ward Stanton, Jr., and Earl Wroten, Jr., of the McClatchy High School of Sacramento.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 31, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 23—An act to repeal an act entitled "An act to add Article 5a, comprising Sections 933 to 994.3 inclusive, to Chapter 6 of Division 4 of the Military and Veterans Code, authorizing the creation of a debt or debts, liability or liabilities, through the issuance and sale of State bonds, for the single object of creating a fund to provide farm and home aid for veterans in accordance with the provisions of the Veterans Farm and Home Purchase Act of 1943; defining the powers and duties of said committee and of the Veterans' Welfare Board and other State officers in respect to the administration of the provisions hereof; providing ways and means, exclusive of loans, for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures; appropriating money for the expense of preparing and of advertising the sale of bonds herein authorized to be issued; and providing for the submission of this act to a vote of the people at the general election to be held in the month of November, 1946," approved July 17, 1945, relating to the purchase of farms and homes for veterans;

Senate Bill No. 52—An act to amend Sections 3700 and 3701 of the Labor Code, relating to self-insurers under the Workmen's Compensation Law;

Senate Bill No. 55—An act to amend Sections 813, 815, 986.3, and 986.5 of the Military and Veterans Code, relating to the purchase of farms and homes by veterans;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirty-first day of January, 1946, at 3 p.m.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 31, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Concurrent Resolution No. 11—Relative to commending the University of California upon its two-year instructional course in practical agriculture given at Davis, and urging the continuance of such course and the enlargement of its scope;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the thirty-first day of January, 1946, at 3 p.m.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 31, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Assembly Bill No. 48

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Education.

Committee membership 5; committee vote: Ayes 3; absent 2.

SEAWELL, Chairman

Above reported bill re-referred to Committee on Education.

SENATE CHAMBER, SACRAMENTO, January 31, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Assembly Bill No. 129

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Governmental Efficiency.

Committee membership 5; committee vote: Ayes 3; absent 2.

SEAWELL, Chairman

Above reported bill re-referred to Committee on Governmental Efficiency.

SENATE CHAMBER, SACRAMENTO, January 31, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Assembly Bill No. 121

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to Committee on Judiciary.

Committee membership 5; committee vote: Ayes 3; absent 2.

SEAWELL, Chairman

Above reported bill re-referred to Committee on Judiciary.

SENATE CHAMBER, SACRAMENTO, January 31, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Assembly Bill No. 94

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Social Welfare.

Committee membership 5; committee vote: Ayes 3; absent 2.

SEAWELL, Chairman

Above reported bill re-referred to Committee on Social Welfare.

Committee on Local Government

SENATE CHAMBER, SACRAMENTO, January 31, 1946

MR. PRESIDENT: Your Committee on Local Government, to which were referred:

Senate Bill No. 104

Assembly Bill No. 139

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 6; absent 3.

CUNNINGHAM, Chairman

Above reported bills ordered to second reading.

Committee on Finance

SENATE CHAMBER, SACRAMENTO, January 30, 1946

MR. PRESIDENT: Your Committee on Finance, to which was referred:

Senate Bill No. 41

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 11; committee vote: Ayes 8; noes 2; absent 1.

RICH, Chairman

Above reported bill ordered to second reading.

President Pro Tempore of the Senate Presiding

At 10.07 a.m., Hon. Jerrold L. Seawell, President pro tempore of the Senate, presiding.

RESOLUTIONS

The following resolution was offered:

By Senator Donnelly:

Senate Resolution No. 23

WHEREAS, Striking with less warning than is usually meted out to mankind, death on January 31, 1946, claimed former Senator the Honorable James Charles Garrison; and

WHEREAS, The news of this sad event comes with a shock to Members of the Senate of the State of California especially in view of the fact that it was but a few days ago that Senator Garrison was in the Senate Chamber greeting old friends and renewing acquaintances of many years standing; and

WHEREAS, Senator Garrison, a native of Indiana, came to California a young man settling in Stanislaus County where he engaged in farming, and served as a Director of the Modesto Irrigation District, of which he was elected President in 1922, taking an active part in the development of the district's electric distribution system; served as President of the Lion's Club; Master of the Stanislaus County Pomona Grange; member of the Empire Farm Bureau, San Joaquin Valley Peace Officers Association, Odd Fellows and Masons; and

WHEREAS, Distinguishing himself as a leader in civic affairs, Senator Garrison was elected to the State Senate in 1926 and was reelected again in 1934 and 1938.

Retiring from the Senate in 1942, he became a member of the Industrial Accident Commission which office he held until shortly before his death; and

WHEREAS, Senator Garrison was a man of strong convictions, forceful personality, loyal and consistent in his friendships and possessed of a genial and pleasant personality; now, therefore, be it

Resolved, That the Members of the Senate of the State of California deeply deplore the passing of the Honorable James Charles Garrison and join with his family in mourning his loss and that when we adjourn from our labors on this day we shall do so in respect to the memory of the Honorable James Charles Garrison; and, be it further

Resolved, That the Secretary of the Senate be and he is hereby directed to forward suitably engrossed copies of this resolution to members of the bereaved family.

Resolution read, and adopted by a rising vote of the following Senators:

Senators Biggar, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Gerdon, Hatfield, Hulse, Judah, Keating Kuchel, McCormack, Parkman, Powers, Rich, Salsman, Seawell, Shelley, Slater, Sutton, and Ward—29.

CONSIDERATION OF DAILY FILE

SECOND READING OF SENATE BILLS

Senate Bill No. 88—An act to add Sections 164.5 and 206.7 to the Welfare and Institutions Code, relating to reports concerning veterans in public institutions.

Bill read second time.

Motion to Amend

Senator Dilworth moved the adoption of the following amendments:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 16, inclusive, and insert

"164.5. At least once each year the Department of Mental Hygiene shall send to the Veterans' Welfare Board a list of all persons who have been patients for six months or more in each State institution within the jurisdiction of the department and who are known to have served in the armed forces of the United States."

Amendment No. 2

On page 2, line 1, of said bill, strike out "three", and insert "six".

Amendment No. 3

On page 2, line 4, of said bill, strike out "30", and insert "90".

Amendments read and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 83—An act to add Chapter 13.6 to Division 3 of the Education Code, relating to the support of school districts in distress as a result of war created conditions, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance:

Amendment No. 1

On page 2, line 7, of the printed bill, strike out "budgetary".

Amendment No. 2

On page 2, line 8, of said bill, after "expenses", insert "as shown by the budget of the district for said school year".

Amendment No. 3

On page 2, line 9, of said bill, after "cent", insert "of said current expenses".

Amendment No. 4

On page 2, line 11, of said bill, strike out "but not in excess of", and insert ". For the purposes of this section, the current expenses allowed shall not exceed".

Amendment No. 5

On page 2, line 15, of said bill, strike out "day".

Amendment No. 6

On page 2, line 21, of said bill, after "attendance", insert "of the regular schools".

Amendment No. 7

On page 2, line 23, of said bill, after "attendance", insert "of the regular schools".

Amendment No. 8

On page 2, line 30, of said bill, after "attendance", insert "of the regular schools".

Amendment No. 9

On page 2, line 31, of said bill, after "attendance", insert "of the regular schools".

Amendment No. 10

On page 2, line 39, of said bill, strike out "January 1", and insert "January 20".

Amendments read and adopted.

Bill ordered printed, engrossed, and to third reading.

President of the Senate Presiding

At 10.25 a.m., Hon. Frederick F. Houser, President of the Senate, presiding.

Senate Bill No. 90—An act making an appropriation for allocation to cities, counties, and cities and counties for the prevention or alleviation of unemployment through the construction of public works in which there is a State interest, and providing the procedure for making such allocations.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance:

Amendment No. 1

In line 5 of the title of the printed bill, as amended in the Senate on January 29, 1946, strike out the period, and insert ", and for assignment of such allocations."

Amendment No. 2

On page 2 of said bill, strike out lines 38 to 41, inclusive, and insert "SEC. 4. As used in this act, "construction" includes the".

Amendment No. 3

On page 3, line 1, of said bill, strike out "shall mean", and insert "means".

Amendment No. 4

On page 3, line 7, of said bill, strike out "shall mean", and insert "means".

Amendment No. 5

On page 3, line 8, of said bill, strike out "shall mean", and insert "means".

Amendment No. 6

On page 3, line 9, of said bill, strike out "shall mean", and insert "means".

Amendment No. 7

On page 3, line 10, of said bill, strike out "shall mean", and insert "means".

Amendment No. 8

On page 6 of said bill, strike out line 4, and insert "flood control, fire protection and prevention facilities, and harbor facilities."

Amendment No. 9

On page 9, line 41, of said bill, after "Sections 10", strike out ", 11".

Amendment No. 10

On page 10, line 14, of said bill, strike out "Section 3714", and insert "Sections 3714-3714.26, inclusive,".

Amendments read and adopted.

Further Amendments to Senate Bill No. 90

Motion to Amend

Senator Rich moved the adoption of the following amendments:

Amendment No. 1

On page 3 of the printed bill, as amended in the Senate on January 29, 1946, between lines 6 and 7, insert

"(c) As used in this act, "water-works system" includes facilities necessary to the supply, pumping, storage and treatment of water but does not include water distribution mains."

Amendment No. 2

On page 6, line 31, of said bill, strike out "and storm drains", and insert ", storm drains, and the improvement of existing publicly owned water-works systems".

Amendment No. 3

On page 6, line 37, of said bill, strike out "and storm drains", and insert ", storm drains, and the improvement of existing publicly owned water-works systems".

Amendment No. 4

On page 6, line 50, of said bill, strike out "and storm drains", and insert ", storm drains, and the improvement of publicly owned water-works systems".

Amendments read and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 32—An act to amend Section 2302 of the Welfare and Institutions Code, relating to the inspection services licensing agencies for the care of the aged, making an appropriaton therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 33—An act to amend Section 1622 of the Welfare and Institutions Code, relating to inspection services licensing agencies for child care and home finding, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 49—An act providing for research and its adaptation to the production, processing, distribution and utilization of agricultural products grown in the State of California and making an appropriation therefor, declaring the urgency of this act, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 60—An act to make an appropriation to the Vocational Education Fund for an Apprenticeship Training Program for Veterans, declaring the urgency of the act to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 70—An act making an appropriation to the Division of Beaches and Parks for the establishment and development of riders' and hikers' trails, declaring the urgency hereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 85—An act to add Article 4 to Chapter 1 of Division 1 of the Education Code, relating to the empowering of the Department of Education to act in connection with the acquisition by the schools of the State of surplus property from the Federal Government and making

an appropriation therefor, declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 78—An act to amend Section 185 of the Streets and Highways Code, to make an appropriation for the Revolving Fund of the Division of Highways, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 60—An act making an appropriation for allocation to cities, counties, and cities and counties for the prevention and alleviation of unemployment through the construction of public works in which there is a State interest, and providing the procedure for making such allocations.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Senate on January 29, 1946, after "prevention", strike out "and", and insert "or".

Amendment No. 2

In line 7 of the title of said bill, strike out the period, and insert a comma and "and for assignment of such allocations."

Amendment No. 3

On page 2 of said bill, strike out lines 46 to 49, inclusive, and insert "SEC. 4. As used in this act, "construction" includes the".

Amendment No. 4

On page 3, line 9, of said bill, strike out "shall mean", and insert "means".

Amendment No. 5

On page 3, line 15, of said bill, strike out "shall mean", and insert "means".

Amendment No. 6

On page 3, line 16, of said bill, strike out "shall mean", and insert "means".

Amendment No. 7

On page 3, line 17, of said bill, strike out "shall mean", and insert "means".

Amendment No. 8

On page 3, line 18, of said bill, strike out "shall mean", and insert "means".

Amendment No. 9

On page 5, line 24, of said bill, after "of", insert a comma.

Amendment No. 10

On page 5, line 27, of said bill, after "of", insert a comma.

Amendment No. 11

On page 6, lines 23 and 24, of said bill, strike out "and fire protection and prevention facilities", and insert "fire protection and prevention facilities and harbor facilities".

Amendment No. 12

On page 9, line 25, of said bill, strike out "application", and insert "claim".

Amendment No. 13

On page 10, line 15, of said bill, after "Sections 10", strike out ", 11".

Amendment No. 14

On page 10, line 38, of said bill, strike out "Section 3714", and insert "Sections 3714-3714.26, inclusive,".

Amendments read and adopted.

Further Amendments to Assembly Bill No. 60

Motion to Amend

Senator Rich moved the adoption of the following amendments:

Amendment No. 1

On page 3 of the printed bill, as amended in the Senate on January 29, 1946, between lines 14 and 15, insert

"(c) As used in this act, "water-works system" includes facilities necessary to the supply, pumping, storage and treatment of water but does not include water distribution mains."

Amendment No. 2

On page 7, line 2, of said bill, strike out "and storm drains", and insert ", storm drains, and the improvement of existing publicly owned water-works systems".

Amendment No. 3

On page 7, line 8, of said bill, strike out "and storm drains", and insert ", storm drains, and the improvement of existing publicly owned water-works systems".

Amendment No. 4

On page 7, line 22, of said bill, strike out "and storm drains" and insert ", storm drains, and the improvement of publicly owned water-works systems".

Amendments read and adopted.

Further Amendment to Assembly Bill No. 60

Motion to Amend

Senator Donnelly moved the adoption of the following amendment:

Amendment No. 1

On page 6, line 18, of the printed bill, as amended in the Senate on January 29, 1946, after "sanatoriums," insert "jails and".

Amendment read.

Previous Question

Senator Gordon moved the previous question.

Motion carried.

The question being on the adoption of the amendment by Senator Donnelly.

Amendment refused adoption.

Assembly Bill No. 60 ordered printed, and to third reading.

Chief Assistant Secretary Cleve V. Taylor at the Desk

Assembly Bill No. 80—An act to make an appropriation to the California Polytechnic School for the production of herbs and plants for applied research in the production of resins, gums, and oils for medicinal and other purposes, declaring the urgency of this act, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance:

Amendment No. 1

On page 1, line 1, of the printed bill, strike out "in the State Treasury not".

Amendment No. 2

On page 1, line 2, of said bill, strike out "otherwise appropriated", and insert "in the Fair and Exposition Fund available to the California Polytechnic School under the provisions of Section 19626 of the Business and Professions Code".

Amendments read and adopted.

Bill ordered printed and to third reading.

Assembly Bill No. 15—An act making an appropriation to the Department of Industrial Relations for apprenticeship training, to take effect immediately.

Bill read second time, and ordered to third reading.

MOTION TO SET SPECIAL ORDER

Senator Hatfield moved that Senate Bill No. 90 and Assembly Bill No. 60 be made a special order of business for Monday, February 4, 1946, at 3 p.m.

Roll Call Demanded

Senators DeLap, Rich, and Carter demanded a roll call.

The roll was called, and the motion carried by the following vote:

AYES—Senators Biggar, Brown, Carter, Collier, Crittenden, Cunningham, Donnelly, Dorsey, Hatfield, Hulse, Keating, Kuchel, McCormack, Parkman, Powers, Seawell, Shelley, Slater, Sutton, and Ward—20.

NOES—Senators DeLap, Desmond, Deuel, Dillinger, Judah, Rich, and Salsman—7.

MOTION TO REFER BACK ON FILE

Senator DeLap moved that the Senate refer back to Item No. 10 on the daily file, and that Senate Bill No. 70 be withdrawn from engrossment and third reading for purpose of amendment.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 70—An act making an appropriation to the Division of Beaches and Parks for the establishment and development of riders' and hikers' trails, declaring the urgency hereof, to take effect immediately.

Bill read second time.

Motion to Amend

Senator DeLap moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 1, of the printed bill, strike out "State Treasury", and insert "State Park Fund".

Amendment read and adopted.

Bill ordered printed, engrossed, and to third reading.

MOTION TO REFER BACK ON FILE

Senator Ward moved that the Senate refer back to Items Nos. 6 and 7 on the daily file, and that Senate Bills Nos. 32 and 33 be withdrawn from engrossment and third reading for purpose of amendment.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 32—An act to amend Section 2302 of the Welfare and Institutions Code, relating to the inspection services licensing agencies for the care of the aged, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Motion to Amend

Senator Ward moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 10, of the printed bill, after "service," insert "and such service is approved by the State Department of Social Welfare,".

Amendment No. 2

On page 1, line 11, of said bill, strike out "shall", and insert "may".

Amendments read and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 33—An act to amend Section 1622 of the Welfare and Institutions Code, relating to inspection services licensing agencies for child care and home finding, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Motion to Amend

Senator Ward moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 10, of the printed bill, after "service," insert "and such service is approved by the State Department of Social Welfare,".

Amendment No. 2

On page 1, line 11, of said bill, strike out "shall", and insert "may".

Amendments read and adopted.

Bill ordered printed, engrossed, and to third reading.

MOTION TO CHANGE DAILY FILE

Senator Carter moved that Senate Bill No. 79 be so placed on the daily file that it will follow Senate Constitutional Amendment No. 2; as Senate Constitutional Amendment No. 2 should be considered before Senate Bill No. 79.

Motion carried.

MOTION TO RETAIN PLACE ON FILE

Senator Salsman moved that Senate Constitutional Amendment No. 2 and Senate Bill No. 79 retain their places on the daily file without penalty.

Motion carried.

MOTION TO RETAIN PLACE ON FILE

Senator Seawell moved that all bills on the third reading file that require a two-thirds vote for passage be passed on file without penalty.

Motion carried.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 40—An act to repeal the Minors Emergency War Employment Act and to revoke all permits issued thereunder.

Bill read third time, and presented by Senator Shelley.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Carter, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Judah, Keating, Kuchel, McCormack, Parkman, Powers, Rich, Seawell, Shelley, Slater, Sutton, and Ward—24.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Joint Resolution No. 13—Relative to the use of the Aircraft Carrier Saratoga as a National shrine or its assignment for some other useful purpose in the San Francisco Bay area.

Resolution read, and presented by Senator Shelley.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Brown, Crittenden, Deuel, Dillinger, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Judah, Keating, McCormack, Parkman, Powers, Rich, Salsman, Seawell, Shelley, Slater, and Ward—21.
NOES—Senator Carter—1.

Resolution ordered transmitted to the Assembly.

Assembly Concurrent Resolution No. 21—Relative to motor vehicle parking facilities in Los Angeles.

Resolution read, and presented by Senator Seawell.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Brown, Collier, Crittenden, DeLap, Desmond, Deuel, Donnelly, Dorsey, Gordon, Hulse, Keating, Kuchel, Parkman, Powers, Rich, Salsman, Seawell, Shelley, Slater, and Ward—21.
NOES—None.

Resolution ordered transmitted to the Assembly.

Assembly Joint Resolution No. 10—Relative to a proposed conference for the prevention of juvenile delinquency.

Resolution read, and presented by Senator Kuchel.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Brown, Carter, Collier, Cunningham, DeLap, Desmond, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Judah, Keating, Kuchel, McCormack, Parkman, Powers, Rich, Salsman, Seawell, Shelley, Slater, Sutton, and Ward—25.
NOES—None.

Resolution ordered transmitted to the Assembly.

THE FOLLOWING PROPOSED BILL WAS READ, AND REFERRED TO COMMITTEE ON RULES

By Senators Hatfield, Gordon, Donnelly, Crittenden, Hulse, Biggar, and Desmond—An act to add Section 451.5 to the Agricultural Code, relating to new milk products developed through research in the uses of milk and the products and by-products thereof, providing for effectuating and insuring such research by authorizing the production and marketing of products newly discovered or developed, declaring the urgency of this act, to take effect immediately.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 11

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

Above bill ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 14

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

Above resolution ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 24

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following resolution was read:

Assembly Concurrent Resolution No. 24—Relative to memorializing the State Park Commission in regard to the operation and maintenance of the recently acquired State park known as Camp Taylor.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Efficiency

SENATE CHAMBER, SACRAMENTO, January 31, 1946

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which were referred:

Senate Bill No. 100
Assembly Bill No. 125

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 10; absent 1.

SWING, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, January 31, 1946

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 89

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to Committee on Finance.

Committee membership 11; committee vote: Ayes 10; absent 1.

SWING, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, January 31, 1946

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 87

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to Committee on Finance.

Committee membership 11; committee vote: Ayes 8; noes 2; absent 1.

SWING, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, January 31, 1946

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which were referred:

Senate Bill No. 102
Senate Bill No. 103
Assembly Bill No. 95

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 11; committee vote: Ayes 10; absent 1.

SWING, Chairman

Above reported bills re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, January 31, 1946

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred:

Assembly Concurrent Resolution No. 18

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and be adopted, as amended.

Committee membership 11; committee vote: Ayes 10; absent 1.

SWING, Chairman

Above reported resolution ordered to second reading.

SENATE CHAMBER, SACRAMENTO, January 31, 1946

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred:

Assembly Bill No. 54

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 11; committee vote: Ayes 10; absent 1.

SWING, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, January 31, 1946

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which were referred:

Assembly Joint Resolution No. 3
Assembly Joint Resolution No. 11

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 11; committee vote: Ayes 10; absent 1.

SWING, Chairman

Above reported resolutions ordered to third reading.

Committee on Judiciary

SENATE CHAMBER, SACRAMENTO, January 31, 1946

MR. PRESIDENT: Your Committee on Judiciary, to which was referred:

Senate Bill No. 97

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 12; committee vote: Ayes 7; absent 5.

KEATING, Chairman

Above reported bill ordered to second reading.

Committee on Governmental Efficiency

SENATE CHAMBER, SACRAMENTO, January 31, 1946

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred:

Assembly Bill No. 52

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Finance..

Committee membership 11; committee vote: Ayes 10; absent 1.

SWING, Chairman

Above reported bill ordered to second reading.

Committee on Rules

SENATE CHAMBER, SACRAMENTO, February 1, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 24

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Natural Resources.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

Above reported resolution re-referred to Committee on Natural Resources.

SENATE CHAMBER, SACRAMENTO, February 1, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Proposed Senate Bill No. 109

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Agriculture.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following bill was introduced, and read the first time:

Senate Bill No. 109: By Senators Hatfield, Gordon, Donnelly, Crittenden, Hulse, Biggar, and Desmond—An act to add Section 451.5 to the Agricultural Code, relating to new milk products developed through research in the uses of milk and the products and by-products thereof, providing for effectuating and insuring such research by authorizing the production and marketing of products newly discovered or developed, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Agriculture.

ADJOURNMENT

At 11.43 a.m., on motion of Senator Seawell, the President declared the Senate adjourned until 2 p.m., Monday, February 4, 1946, out of respect to the memory of the late Hon. James Charles Garrison.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-SIXTH (FIRST EXTRAORDINARY) SESSION

SENATE DAILY JOURNAL

TWENTY-FIRST LEGISLATIVE DAY

TWENTY-NINTH CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO
Monday, February 4, 1946

The Senate met at 2 p.m.

Hon. Jerrold L. Seawell, President pro tempore of the Senate, presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Biggar, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Ward, and Weybret—36.

Quorum present.

PRAYER

By invitation of the President, prayer was offered by Rev. Dr. Torrance Phelps, Pastor of the Pioneer Congregational Church.

LEAVES OF ABSENCE FOR THE DAY

The following Senator was granted leave of absence for the day:

Senator Dillinger, on motion of Senator Brown, due to illness.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Seawell, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Carol Lee Kling, Geraldine Marie Wright, and Louise Marie Whitaker of Sacramento.

On request of Senator Carter, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Tony Beard of Los Angeles.

On request of Senator Dilworth, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Harry Gaume of Pasadena.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO 14, February 4, 1946

To the Honorable Members of the Senate
State of California,
Sacramento, California

GENTLEMEN: The call for this special session was broadly drawn to include any legislation relating to veterans because in my opinion now is the time to review all of California's veteran programs.

California has reason to be proud of the fact that the Legislature did not wait until V-E day but even during the war acted with foresight to establish practical veteran programs that are already in use by our returning Californians.

Fortunately, therefore, we are not faced with any pioneering job at this special session.

With some experience gained after World War I and with foundations already laid during this war, we can now center upon a careful review of what has been done for the purpose of determining whether, in the light of recent experience and better knowledge of the requirements, any additions, expansions or improvements should be made.

Since the 1943 and 1945 Regular Sessions, and intervening special sessions, demobilization has become a reality and the process is going on at a tremendous rate. Already nearly half a million California veterans have returned to their homes, and approximately 200,000 veterans from other States have settled here. When demobilization is complete we will have over a million World War II veterans in California.

From the veterans themselves at California separation centers we have learned something about what they want. About 73 per cent of them expect to find jobs; about 6 per cent want to go into some kind of business for themselves; about 10 per cent definitely plan to return to school for further education; about 6 per cent have plans for part-time education, and about 5 per cent have expressed a desire to go into agriculture. These are reasonable expectations and it is up to us to see that they are realized.

Many of these veterans, however, will have little chance to follow through with any of these ambitions unless something is done, and done quickly, to alleviate the critical housing shortage.

This shortage is one of the things about which little could be done during the war because all materials were diverted to Federal control for use of the armed forces and essential war housing.

With many war workers remaining in California at war's end, and with hundreds of thousands of veterans returning, the housing shortage has become a real emergency in which, according to our surveys, over 175,000 veterans, with their young wives and children will be the victims—suffering with varying degrees of severity—and justly protesting their inability to obtain lodging or homes near the jobs and the schools.

It was for this reason that in my message of January 7th I recommended that State funds be immediately appropriated to assist our cities, counties, and educational institutions to meet the expense of using surplus temporary housing obtained under arrangements with the Federal Government.

These arrangements with the Federal Government were developed at a housing conference which I called for December 17 and 18, 1945, at San Francisco to explore the whole subject with high ranking Federal officials from Washington, D. C. Meanwhile the Congress has acted to provide for adapting all available temporary housing in this region for transfer to distressed cities, counties and educational institutions.

The State funds, which you appropriate, will help these local communities defray the cost of actually using this housing where it is most needed, for the exclusive use of veterans, until more suitable permanent housing can be built.

The value of these funds will be lost in proportion to the number of weeks, or days, we delay their availability. They are needed to meet a crisis and, unless promptly forthcoming, our opportunity to be helpful will be lost.

This is by no means a complete solution of the housing problem but it will give us the satisfaction of knowing that we have made it possible to use every bit of existing housing and that the plight of our most distressed veteran families will be temporarily improved.

Only when the supply of building material increases, with the aid of Federal priorities on material for residential housing, will we be able to put into full swing California's Program, ready since 1943, for home and farm loans to veterans.

Under this program the State of California, through the Veterans' Welfare Board, can acquire a home, or a farm, of the veteran's choice, and, under existing law, the veteran can purchase his home through contract with the Veterans' Welfare Board, up to $6,500, with payments spread over a period of 20 years, interest at 4 per cent, and fire, life insurance and tax arrangements highly advantageous to the veteran.

The Veterans' Welfare Board has found that this interest rate can be safely reduced to 3 per cent and that the limit on the amount of the contract should be increased to $7,500.

I recommend, therefore, that the Legislature at this session examine carefully into these matters and take such action as will make this program available to veterans as cheaply and as helpfully as possible under the new conditions we are facing.

I also recommend your submission of an additional bond issue for the approval of our people to provide such further funds as are necessary to continue this program and meet the needs of all California veterans who desire to use it.

Our experience after World War I proves that these funds can, and will be, repaid by our veterans during the years to come.

In my opinion, our veterans are physically strong, mentally alert, and anxious to get going. Those who want jobs will find them if our economy maintains a sufficiently high level of production and employment opportunities to make those jobs possible.

It was particularly for this reason that, in my message of January 28th, I strongly urged that the State of California act now to establish a properly equipped Economic Council to keep abreast at all times of changing economic conditions in California and recommend, whenever necessary, ways and means for stimulating and maintaining production and employment.

We owe this degree of vigilance to our veterans who certainly do not want to be caught unawares in any economic upset that would mean unemployment for them and distress for their families.

We have been watching this situation, and I call your attention to the fact that 62,934 World War II veterans claimed and received G-I Bill of Rights unemployment allowances, through our Department of Employment, in the week ending January 24, 1946. These claims have been increasing—the increase being 100 per cent in the last four weeks.

Most of our returning veterans, and many of our civilian war workers, have received training and experience during the last three years designed to meet the special needs of the armed forces and war production. A great deal of that training and experience is poorly adapted to peace-time work.

For this reason I have recommended that California's Program for Apprenticeship and On-the-Job Training be expanded so that all of our workers, and particularly our veterans, will have a chance to retrain themselves for new kinds of employment, not only in the trades, but in business, agriculture, and even many kinds of technical and professional endeavor.

It is particularly important that we do this because under the G-I Bill of Rights veterans have been encouraged into Apprenticeship and On-the-Job Training Programs by the provision of sustenance allowances to supplement their lower income during the training period.

The effectiveness of these G-I allowances depends upon the thoroughness with which the states stimulate and administer the actual Training Program.

Our Department of Industrial Relations, which administers apprenticeship and on-the-job training in California, has already placed the Apprenticeship Program in more than 5,000 employing shops or firms needing skilled trade workers of 70 different kinds. It has also approved the Speciality On-the-job Program for more than 1,000 business firm or plants, each of them using from one to several thousand trainees, and in all representing over 100 different occupations.

Further progress will be possible only if additional funds and field staff are obtained for the department. I have, therefore, recommended an appropriation of $175,000 to the Department of Industrial Relations to enable it to adequately spread this excellent program through our whole business system for the great and practical benefit of veterans.

I further recommended an additional appropriation of $75,000 to the Department of Education for checking and approval of vocational courses related to on-the-job training.

The State of California, itself, is taking the lead, through our Personnel Board, in recruiting veterans and training them on the job for State service and I recommend an appropriation of $25,000 to expedite this work of the Personnel Board.

Our California Veterans' Commission has been working with business, farm and labor groups for the purpose of encouraging them to organize themselves for better service to veterans who seek placement and a chance to learn and develop.

Approximately 100,000 veterans will return to school for full time education after one to three years in the service. This backlog of students will make heavy demands on the educational facilities of our State and, because most of our returning young men and women have already completed high school and are ready for more advanced education, the burden will fall largely on our University, State colleges and junior colleges.

Entry into these institutions is being stimulated by the G-I Bill of Rights which provides sustenance allowance to veterans while in school.

In 1943 California also provided a supplementary program under which similar allowances will enable California veterans to take advantage of educational opportunities when they have exhausted, or when they wish to defer, the benefits of the G-I Bill of Rights.

The State program will require additional funds commensurate with the number of our California veterans, and I have recommended an appropriation of $750,000 to carry it through until you can review it again at the next regular session.

This great educational stimulus, coupled with the fact that our State population has increased by 2,000,000 during the last four years, will most certainly over tax our University and College Educational System to the breaking point, with disappointment and deprival of opportunities for returning veterans, unless some action is taken now for the expansion of these facilities along the lines I have already recommended as part of the State Construction Program.

California has long maintained a Veterans' Home at Yountville for the hospitalization and domiciliary care of all California war veterans who stand in need of those services.

The facilities of this home are entirely inadequate for the present and future needs of the veterans of World War II, and, therefore, as part of the State Building Program, provision has been made for new construction to enlarge the Veterans' Home. The sum of $2,400,000 has been recommended for this purpose.

California has also provided for the educational needs of the children of California members of the armed forces, killed in action, or whose death resulted from service, and at the 1945 Session this program was expanded to include the widows of those who made the supreme sacrifice. This program is adequately financed at the present time.

Our State Department of Education also has an excellent Program of Vocational Rehabilitation to give special education to the physically or mentally handicapped. I am happy to report that this program is now meeting the needs of more than 1,000 World War II veterans, who for one reason or another are unable to use the facilities of the United States Veterans Administration.

I have designated our State Department of Education as the agency in this State for the approval of private educational institutions which veterans may attend under the Tuition and Sustenance Allowance Program of the Federal G-I Bill of Rights. It is of the utmost importance that this approval function be carefully performed in order to protect our veterans from fly-by-night and valueless schools or courses that will be attracted to the educational field more for the purpose of exploiting the veteran than for any worthwhile educational service. I recommend an appropriation of $25,000 to the Department of Education for this work.

All of these things in the aggregate constitute a fine program, but it seems to me that to make appropriations, to set up programs, no matter how well conceived, is not enough. Now is the time to so organize and coordinate all these services, along with Federal and local programs, that the veteran can obtain their benefit promptly, and without red tape.

The very number and variety of Federal and State programs is sometimes confusing to the veteran.

We must remember that each veteran eventually returns to his own community. He is intelligent and can generally take care of himself if authentic information and advice are available to him at some central place in each community.

It has been our policy in California to work as far as possible through the local communities and the local veterans' organizations in order to avoid the growth of any State bureaucracy to deal with veterans, and I am happy to say that our experience thus far seems to justify this approach.

Our aim has been to assist the local communities financially with State funds for veteran service officers in the communities and in the veterans' organizations, and to help the local veterans' centers, and veterans' service officers, by giving them the statewide information and clearance service of the California Veterans' Commission.

It was for the purpose of bringing about some degree of coordination in this work that on October 29, 1944, I appointed a California Veterans' Commission. The action taken by the Legislature at its 1945 Session to make this commission an official agency of the State has been fully justified by the results.

The first job of that commission was the formation of a "California Plan" designed to encourage and help our cities and counties prepare themselves to receive returning veterans by working out their own community organization and their own local information centers.

Our local communities have been most cooperative, and at the present time every major city over 25,000 population in California has organized along these lines.

The California Veterans' Commission has established close conference and working arrangements, not only with the cities and counties, but with the Federal agencies, the Army, Navy and Marine Corps, all State departments, veterans and other statewide organizations, and it has provided a State headquarters for the clearance of all matters affecting returning veterans.

This work has been of great value to the hundreds of veteran advisors in our cities, veteran organization service officers, and the county veterans' service officers now on the job in 42 counties.

All of these county service officers, and most of the city veteran advisors, work closely with the commission, attend its meetings and participate in its activities—to the mutual advantage of the commission and these men in the field.

A great majority of our counties have availed themselves of the program set up at the 1945 regular session under which the State, through the Veterans' Welfare Board, allocates funds to the counties to assist them in maintaining county veteran service officers with necessary assistants and facilities.

These county service officers, appointed by the boards of supervisors of the various counties, have, under the provisions of our Military and Veterans' Code, the duty of assisting veterans in presenting and pursuing their claims for the privileges, preferences, care or compensation to which they are entitled under the laws of the United States or of this State. They meet with, and try to help, thousands of veterans every day.

This field work is supplemented and followed up through central headquarters' staffs maintained by the American Legion, Veterans of Foreign Wars and Disabled American Veterans at Fort Miley in San Francisco and Sawtelle in Los Angeles. Under existing law the State is allocating to these veterans' organizations, under contract with the Veterans' Welfare Board, funds to help them carry on this valuable service which is becoming heavier day by day.

Although much has been done to improve administration in our Department of Military and Veterans' Affairs, and in the local communities, the task before us during the next few years is of such proportion that our department should be reorganized, strengthened, and broadened in scope to enable it to do an even more intensive job.

The Department of Military and Veterans' Affairs was established following World War I, and, although its various boards and staff have worked hard and faithfully, and with considerable success through these years, the department organization is generally considered to be out-moded, a handicap to efficient performance, and unsuited to the enormous demands that will be made upon it as a result of World War II.

At the present time there are four separate boards within the Department of Military and Veterans' Affairs: The Veterans' Welfare Board, the Yountville Home Board, the Woman's Relief Corps Home Board, and the more recently established California Veterans' Commission. All of these boards exercise both policy and administrative functions.

The director of the department at the present time has no important statutory duties except to act as Chairman of the Veterans' Welfare Board. He is not in a position, under the present statute, to really function as a Director of Veterans' Affairs, concerned with all phases of veterans' welfare within our State.

This condition has been studied in cooperation with our veterans' organizations and the concensus of opinion has been that the department should be streamlined by the establishment of a single seven-man California Veterans' Board, charged with full policy making power over all programs and working through a full-time director with adequate administrative responsibility.

The functions of our present Yountville Home Board, Woman's Relief Corps Home Board and California Veterans' Commission can be retained by providing for their continuance as advisory boards to the department.

I recommend this program for action at this special session so that we may give to our veterans the benefit of administrative reorganization during this critical period of active demobilization. It will not delay, but will step up, our service to veterans.

It is only proper that I should acknowledge the splendid cooperation given to the State of California by our veterans' organizations, the Army, Navy and Marine Corps, the cities and counties of California, and other organizations in our State, all of whom realize that California has a duty to mobilize all of its resources, public and private, to help our veterans help themselves in their adjustment to worthwhile and satisfactory civilian life.

Sincerely,

EARL WARREN, Governor

Message read, and ordered printed in the Journal.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day respectfully refused to concur in Senate amendments to:

Assembly Bill No. 27—An act to add Section 2206 to the Health and Safety Code, relating to mosquito abatement districts, and declaring the urgency of this act, to take effect immediately.

And appointed Messrs. King, Thompson, and Gannon as a Committee on Conference to meet a like committee from the Senate.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 39

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

Above bill ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 99
Assembly Bill No. 102
Assembly Bill No. 130
Assembly Bill No. 135
Assembly Bill No. 136
Assembly Bill No. 138
Assembly Bill No. 144
Assembly Bill No. 147

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

Assembly Bill No. 99—An act making an appropriation to the Reclamation Board for the payment of the cost of the project for the Fresno County stream group for flood control, to take effect immediately.

Referred to Committee on Rules.

Assembly Bill No. 102—An act making an appropriation for additional support of the Department of Industrial Relations, to take effect immediately.

Referred to Committee on Rules.

Assembly Bill No. 130—An act to add Sections 18977 and 19176 to the Government Code, relating to veterans' civil service status.

Referred to Committee on Rules.

Assembly Bill No. 135—An act to add Section 18974.5 to the Government Code, relating to veterans' preference in State civil service.

Referred to Committee on Rules.

Assembly Bill No. 136—An act to amend Section 20303 of the Government Code, relating to membership in the State Employees' Retirement System.

Referred to Committee on Rules.

Assembly Bill No. 138—An act to add Article 7 to Chapter 12 of Division 3 of the Education Code, relating to the support of the public schools, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Rules.

Assembly Bill No. 144—An act to amend Section 1 of an act entitled "An act relating to public officers, deputies, assistants, and employees, and their return to public service," approved May 31, 1943, relating to the return of public officers and employees from military service and reentry into their offices and positions, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Rules.

Assembly Bill No. 147—An act to provide for increased services by the California Highway Patrol by permitting payment of salaries of reinstated Highway Patrolmen out of the appropriation made for support of the California Highway Patrol by the Budget Act of 1945 and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Rules.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 29

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was read:

Assembly Concurrent Resolution No. 29—Relative to adjournment in respect to the memory of Harry B. Riley.

Request for Unanimous Consent

Senator Slater asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 29, at this time, for consideration.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 29

Assembly Concurrent Resolution No. 29—Relative to adjournment in respect to the memory of Harry B. Riley.

Resolution read, and adopted by a rising vote of the following Senators:

Senators Biggar, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Ward, and Weybret—36.

Resolution ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, February 2, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 32
Senate Bill No. 33
Senate Bill No. 70
Senate Bill No. 83
Senate Bill No. 88

And reports the same correctly engrossed.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, February 1, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 49
Senate Bill No. 60
Senate Bill No. 78
Senate Bill No. 85

And reports the same correctly engrossed.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, February 4, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 90

And reports the same correctly engrossed.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, February 1, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 13—An act to validate the organization, boundaries, governing officers or boards, acts, proceedings, and bonds of public bodies, to take effect immediately;

And reports that the same has been correctly enrolled, and presented to the Governor on the first day of February, 1946, at 1 p.m.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, February 1, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Concurrent Resolution No. 13—Relative to memorializing the State Park Commission in regard to the acquisition of State parks;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the first day of February, 1946, at 1 p.m.

SEAWELL, Chairman

APPOINTMENT OF COMMITTEE ON CONFERENCE

SENATE CHAMBER, SACRAMENTO, February 4, 1946

MR. PRESIDENT: Your Committee on Rules announces the appointment of Senators Rich, Deuel, and Hatfield as a Senate Committee on Conference concerning Assembly Bill No. 27 to meet a like committee of the Assembly.

SENATE COMMITTEE ON RULES
SEAWELL, Chairman

President of the Senate Presiding

At 2.16 p.m., Hon. Frederick F. Houser, President of the Senate, presiding.

COMMUNICATIONS

The following communication was received, read, and, on motion of Senator Hatfield, ordered printed in the Journal:

STATE OF CALIFORNIA, OFFICE OF THE CONTROLLER
SACRAMENTO, February 4, 1946

Honorable George J. Hatfield, State Senator
Twenty-fourth District, Sacramento, California

SUBJECT: ESTIMATED UNAPPROPRIATED GENERAL FUND SURPLUS

DEAR SIR: In accordance with your request, there is set forth below our estimate of the unappropriated surplus of the General Fund as of June 30, 1947, and our estimate of the unappropriated surplus as of January 31, 1946, in the Postwar Employment Reserve and in the Postwar Unemployment and Construction Fund.

General Fund	$133,142,757 00
Postwar Employment Reserve	144,007,361 00
Postwar Unemployment and Construction Fund	90,241,486 00
Total	$367,391,604 00

The State's General Fund commenced the present biennium on July 1, 1945, with an appropriated surplus of $138,867,599. Revenues expected to accrue during the biennium, under the present tax structure, are estimated at $638,975,000. These revenues are $5,724,842 less than the expenditures and transfers to reserve funds authorized for the present two-year period.

Detailed schedules setting forth the computations employed to arrive at the above estimates are now being typed and will be furnished to you as soon as they are available.

Very truly yours,

STATE CONTROLLER
By BERT FOSTER, Deputy State Controller

MOTION TO APPROVE SENATE JOURNALS

Senator Seawell moved that the Senate Journals for Monday, January 28, 1946; Tuesday, January 29, 1946; Wednesday, January 30, 1946; Thursday, January 31, 1946; and Friday, February 1, 1946, be approved as corrected by Minute Clerk and Journal Clerk.

Motion carried.

REPORTS OF STANDING COMMITTEES

Committee on Military and Veterans Affairs

SENATE CHAMBER, SACRAMENTO, January 31, 1946

MR. PRESIDENT: Your Committee on Military and Veterans Affairs, to which was referred:

Senate Bill No. 98

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 9; committee vote: Ayes 5; absent 4.

QUINN, Chairman

Above reported bill re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, January 31, 1946

MR. PRESIDENT: Your Committee on Military and Veterans Affairs, to which was referred:

Senate Bill No. 92

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 5; absent 4.

QUINN, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, January 31, 1946

MR. PRESIDENT: Your Committee on Military and Veterans Affairs, to which was referred:

Senate Joint Resolution No. 4

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 9; committee vote: Ayes 5; absent 4.

QUINN, Chairman

Above reported resolution ordered to third reading.

SENATE CHAMBER, SACRAMENTO, January 31, 1946

MR. PRESIDENT: Your Committee on Military and Veterans Affairs, to which was referred:

Senate Bill No. 94

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 5; absent 4.

QUINN, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE

SECOND READING OF SENATE BILLS

Senate Bill No. 104—An act to add Section 126 to the Government Code, relating to the acquisition of land in this State by the United States and the consent of the Legislature to such acquisition upon the conditions and subject to the reservations in this act prescribed.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 41—An act making an appropriation for the payment of the cost of cooperation with the United States in the construction of projects for flood control in this State.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "the payment of the cost of"; and strike out line 2 of the title.

Amendment No. 2

In line 3 of the title of said bill, after "State", insert ", declaring the urgency of this act, to take effect immediately".

Amendment No. 3

On page 1, line 4, of said bill, strike out "thirty-two million dollars ($32,000,000)", and insert "thirty-two million two hundred fifty thousand dollars ($32,250,000)".

Amendment No. 4

On page 1, line 6, of said bill, strike out "such public agencies as he may determine", and insert "public agencies".

Amendment No. 5

On page 1, lines 7 and 8, of said bill, strike out "of cooperation by the State with the United States in the construction".

Amendment No. 6

On page 1, line 8, of said bill, after "control", insert "other than maintenance and holding the United States free from damages due to the construction work as may be required in the acts of Congress cited with reference to each specific project set forth in Section 4 of this act."

Amendment No. 7

On page 1, line 10, of said bill, strike out "Fund."

Amendment No. 8

On page 1, line 11, of said bill, strike out "not otherwise appropriated".

Amendment No. 9

On page 1, line 12, of said bill, strike out "dollars ($7,000,000)", and insert "two hundred fifty thousand dollars ($7,250,000)".

Amendment No. 10

On page 1, lines 12 and 13, of said bill, strike out "the Postwar Unem- ployment and Construction Fund", and insert "any money".

Amendment No. 11

On page 1, line 15, of said bill, after the second period, insert "not more than thirty-two million dollars ($32,000,000) of".

Amendment No. 12

On page 2, line 10, of said bill, strike out "herein provided for", and insert "provided for in this section".

Amendment No. 13

On page 2 of said bill, strike out lines 15 and 19, inclusive, and insert "herein".

Amendment No. 14

On page 2, lines 48 and 49, of said bill, strike out "sixty-one thou- sand three hundred dollars ($61,300)", and insert "one hundred forty thousand dollars ($140,000)".

Amendment No. 15

On page 3 of said bill, strike out lines 10 to 15, inclusive.

Amendment No. 16

On page 3, lines 26, 27, and 28, of said bill, strike out "one million seven hundred twenty-two thousand eight hundred sixty dollars ($1,722,860)", and insert "two million six hundred thousand seven hundred sixty dollars ($2,600,760)".

Amendment No. 17

On page 3, line 44, of said bill, after "made", insert "in part".

Amendment No. 18

On page 3, lines 45 and 46, of said bill, strike out "the extent of the appropriation herein made," and insert "such extent".

Amendment No. 19

On page 3, lines 47 and 48, of said bill, strike out "the cost of all lands, easements and rights of way", and insert "such cost of cooperation as provided in said act".

Amendment No. 20

On page 3 of said bill, after line 49, insert

"SEC. 8. Without regard to any of the provisions of Sections 2 to 7, inclusive, of this act, not more than two hundred fifty thousand dollars ($250,000) of the appropriation made by this act, if expended, shall be expended by the Department of Public Works only for the purpose of surveying flood control projects required for the mountainous areas of this State, including present sources of water supply and the present means of controlling the same for such areas, and reporting to the Legislature thereon,

such expenditure to be made only after the Director of Finance makes such money available for such expenditure.

SEC. 9. The appropriation herein shall be available for expenditure without regard to fiscal years and shall not be subject to the provisions of Section 16304 of the Government Code.

SEC. 10. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

It is anticipated that the Federal Government in the very near future will make money available to commence work on the projects provided for herein. It is necessary that money be appropriated to pay the State's share for the cost of cooperation in the construction of the projects at the earliest possible time, in order that persons and property may be protected from destructive floods in the areas involved."

Amendments read and adopted.

Bill ordered printed, engrossed, and to third reading.

MOTION TO SET SPECIAL ORDER

Senator Crittenden moved that Senate Bill No. 41 be made a special order of business for Thursday, February 7, 1946, at 11 a.m.

Motion carried.

CONSIDERATION OF DAILY FILE (RESUMED)

SECOND READING OF SENATE BILLS (RESUMED)

Senate Bill No. 100—An act to add Sections 3211.9, 3211.91, 3211.92, 3211.93, and 3211.94 to, and Chapter 10.5, comprising Sections 4351 to 4387, inclusive, to Part 1 of Division 4 of the Labor Code, and to add Article 10.7 to Chapter 1 of Division 7 of the Military and Veterans Code, relating to the furnishing of workmen's compensation benefits to disaster service workers, including the limiting of the liability of the State of California, counties, cities, and disaster councils for injuries arising out of and occurring in the course of activities as a disaster service worker, authorizing the California State Disaster Council to certify disaster councils and to make rules and regulations for the classifying and registering of disaster service workers, providing for the State Compensation Insurance Fund to act as adjusting agent, and making an appropriation for the furnishing of workmen's compensation benefits, to take effect immediately.

Bill read second time.

Motion to Amend

Senator Seawell moved the adoption of the following amendments:

Amendment No. 1

In line 3 of the title of the printed bill, strike out "4387", and insert "4386".

Amendment No. 2

On page 2, line 4, of said bill, strike out "civilian defense organization", and insert "disaster council".

Amendment No. 3

On page 2, line 26, of said bill, strike out "4387", and insert "4386".

Amendments read and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 89—An act relating to airports, creating a Division of Airports in the Department of Public Works, with a Chief of the Division of Airports therein, prescribing his powers and duties with

respect to all airports in this State, amending Section 14005 of the Government Code, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

Amendment No. 1

On page 1, line 16, of the printed bill, strike out "commercial".

Amendment No. 2

On page 2, line 12, of said bill, after "of", insert "all areas of".

Amendment No. 3

On page 2 of said bill, strike out lines 14 and 15, and insert "and to encourage the use of any Federal airport aid on the development of such major airport system, the Chief of the Division of Airports shall:".

Amendment No. 4

On page 2 of said bill, strike out line 49; and on page 3, strike out lines 1 to 4, inclusive, and insert "deal directly with the Federal Government or any agency thereof when authorized so to do by any Federal law or regulation.

As to Class 3 and smaller airports, as defined by the Civil Aeronautics Administration of the United States, municipalities shall with respect to any Federal aid airport projects, deal directly with the Division of Airports unless required by any Federal law or regulation to deal directly with the Federal Government or an agency thereof."

Amendments read and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

Senate Bill No. 87—An act providing for school district public works and making an appropriation therefor, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

Amendment No. 1

In lines 2 and 3 of the title of the printed bill, strike out ", declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 1, lines 8 and 9, of the printed bill, strike out "There is hereby created in the State Treasury the State School Building Fund which", and insert "The appropriation contained in this act".

Amendment No. 3

On page 1, line 15, of the printed bill, strike out "and all of which", and insert ". All of said purposes".

Amendment No. 4

On page 1, line 16, of the printed bill, strike out "such".

Amendment No. 5

On page 1, line 16, of the printed bill, after "works", strike out the period, and insert "in which there is a State interest".

Amendment No. 6

On page 1, lines 17 and 18, of the printed bill, strike out "the Postwar Unemployment and Construction Fund", and insert "any money".

Amendment No. 7

On page 1, line 19, of the printed bill, strike out "to the State School Building Fund".

Amendment No. 8

On page 1, line 20, of the printed bill, strike out "thirty million dollars ("$30,000,000)", and insert "fifteen million dollars ($15,000,000)".

Amendment No. 9

On page 1, line 25, of the printed bill, after "Finance", insert a comma, and strike out "Presi-", in said line.

Amendment No. 10

On page 1, line 26, of the printed bill, strike out "dent of the State Board of Education", and insert "Director of Public Works".

Amendment No. 11

On page 2, line 3, of the printed bill, strike out "State School Build-".

Amendment No. 12

On page 2, line 4, of the printed bill, strike out "ing Fund", and insert "appropriation made in this act".

Amendment No. 13

On page 2, line 15, of the printed bill, strike out "State School Building Fund", and insert "appropriation made in this act".

Amendment No. 14

On page 2, line 18, of the printed bill, strike out "fifteen million dollars", and insert "the appropriation made by this act, or so much thereof as may be necessary,".

Amendment No. 15

On page 2 of the printed bill, strike out lines 19 and 20.

Amendment No. 16

On page 2, line 21, of the printed bill strike out "Building Fund,".

Amendment No. 17

On page 2, line 25, of the printed bill, after the second comma, insert "other".

Amendment No. 18

On page 2 of the printed bill, strike out lines 40 to 51, inclusive.

Amendment No. 19

On page 3 of the printed bill, strike out lines 1 to 15, inclusive.

Amendment No. 20

On page 3, line 16, of the printed bill, strike out "8.", and insert "7.".

Amendment No. 21

On page 3, line 17, of the printed bill, strike out the comma.

Amendment No. 22

On page 3, line 22, of the printed bill, strike out "9.", and insert "8."

Amendment No. 23

On page 3, line 27, of the printed bill, after "4", insert "of Title 2".

Amendment No. 24

On page 3, line 30, of the printed bill, strike out "10.", and insert "9."

Amendment No. 25

On page 3, line 33, of the printed bill, strike out "such", and insert "school".

Amendment No. 26

On page 3, line 33, of the printed bill, after "district", insert "to which an apportionment is made".

Amendment No. 27

On page 3, line 35, of the printed bill, strike out "11.", and insert "10."

Amendment No. 28

On page 3 of the printed bill, strike out lines 40 to 51, inclusive.

Amendment No. 29

On page 4 of the printed bill, strike out lines 1 to 10, inclusive.

Amendments read and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

Senate Bill No. 97—An act to amend Sections 2941 and 2957 of, and to add Sections 2941.5, and 2972.5 to, the Civil Code, relating to mortgages, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 139—An act to add Section 66d to the Code of Civil Procedure, relating to the number of judges of the superior court in the County of Ventura.

Bill read second time, and ordered to third reading.

Assembly Bill No. 125—An act to amend Section 19398 of the Government Code, relating to veterans' rights in promotional examinations.

Bill read second time, and ordered to third reading.

Assembly Concurrent Resolution No. 18—Relative to the condition of State funds and estimation of surplus at the end of this biennium, requesting the State Controller and the Director of Finance for information in respect thereto.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

Amendment No. 1

On page 1, line 11, of the printed resolution, strike out "several", and insert "certain".

Amendment No. 2

On page 1, line 19, of the printed resolution, strike out "several funds", and insert "General Fund and the reserves therein".

Amendment No. 3

On page 1, line 20, of the printed resolution, after "fund", insert "and reserve".

Amendments read and adopted.

Resolution ordered printed, and to third reading.

Assembly Bill No. 54—An act to add Section 19402 to the Government Code, relating to leaves of absence of veterans in the State civil service.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

Amendment No. 1

On page 1 of said bill, strike out line 3, and insert

"19402. Any permanent State civil service employee or a probationer who immediately preceding his appointment to his present position held permanent civil service status in some other class and who served in the".

Amendment No. 2

On page 1, line 8, of the printed bill, strike out "six", and insert "three".

Amendments read and adopted.

Bill ordered printed, and to third reading.

Assembly Bill No. 52—An act to provide for the acquisition of temporary and emergency housing facilities by joint action of the State and local agencies, providing for the operation of such facilities, making an appropriation, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

Amendment No. 1

On page 3, line 1, of the printed bill, as amended in the Assembly on January 23, 1946, strike out "Corporation", and insert "Cooperation".

Amendment No. 2

On page 3 of said bill, strike out lines 20 to 23, inclusive, and insert "In providing housing pursuant to this act, a local agency shall not be subject to any State statute or regulation prescribing standards of construction, repair, maintenance or use of buildings. As to the housing provided for in this act, the governing body of any local agency by which any ordinance or regulation prescribing the use or occupancy of land or standards of construction, repair, maintenance or use of buildings was enacted may by ordinance or resolution suspend all or a part of any such ordinance or regulation for the period during which such housing may by the terms of this act lawfully be maintained."

Amendment No. 3

On page 3, line 27, of said bill, after the first "of", insert "not more than".

Amendment No. 4

On page 3, line 32, of said bill, after "paying", insert "at least".

Amendment No. 5

On page 5, lines 16 and 17, of said bill, strike out "by rule applicable to any case or class of cases,".

Amendment No. 6

On page 5, line 21, of said bill, after "by", insert "or on behalf of".

Amendment No. 7

On page 5, line 21, of said bill, strike out "January 15, 1946", and insert "December 1, 1945".

Amendment No. 8

On page 5, line 26, of said bill, strike out "applications", and insert "Claim".

Amendment No. 9

On page 5 of said bill, strike out line 29, and insert "claim. When the director approves such claim and".

Amendment No. 10

On page 6, line 4, of said bill, insert "The provisions of Part 7 of Division 2 of the Labor Code are applicable to Public Works or Projects constructed from funds allocated under this act."

Amendment No. 11

On page 6 of said bill, between lines 4 and 5, insert

"SEC. 9. Notwithstanding any provision of this act to the contrary, the State, its agents or employees, or any local agency, is hereby authorized in doing any act permitted or directed by this act, to comply with and conform to all applicable requirements of Federal laws and of regulations and orders issued under the authority thereof."

Amendment No. 12

On page 6, line 5, of said bill, strike out "9", and insert "10".

Amendments read and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

UNFINISHED BUSINESS

CONSIDERATION OF ASSEMBLY AMENDMENTS

Senate Bill No. 19—An act to add Article 5A, comprising Sections 993 to 994.3, inclusive, to Chapter 6 of Division 4 of the Military and Veterans Code, authorizing the creation of a debt or debts, liability or liabilities, through the issuance and sale of State bonds, for the single object of creating a fund to provide farm and home aid for veterans in accordance with the provisions of the Veterans Farm and Home Purchase Act of 1943; defining the powers and duties of said committee and of the Veterans' Welfare Board and other State officers in respect

to the administration of the provisions hereof; providing ways and means, exclusive of loans, for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures; appropriating money for the expense of preparing and of advertising the sale of bonds herein authorized to be issued; and providing for the submission of this act to a vote of the people at the general election to be held in the month of November, 1946.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Bill No. 19?

Amendment No. 1

On page 2, line 18, of the printed bill, after "the sum of", strike out "seventy-five".

Amendment No. 2

On page 2, line 19, of the printed bill, strike out "million dollars ($75,000,000)".

Amendment No. 3

On page 2, line 19, of the printed bill, in lieu of the above words and figures, insert "one hundred million dollars ($100,000,000)".

Amendment No. 4

On page 6, line 52, of the printed bill, after "issue of", strike out "seventy-five", and insert "one hundred".

Amendment No. 5

On page 7, line 7, of the printed bill, after "issue of", strike out "seventy-five", and insert "one hundred".

The roll was called, and the Senate refused to concur in Assembly amendments to Senate Bill No. 19 by the following vote:

AYES—None.
NOES—Senators Biggar, Carter, Crittenden, Cunningham, DeLap, Deuel, Donnelly, Fletcher, Gordon, Hatfield, Hulse, Judah, Keating, Kuchel, Mayo, McCormack, Mixter, Parkman, Powers, Quinn, Seawell, Shelley, Slater, Sutton, Swing, Ward, and Weybret—27.

President Pro Tempore of the Senate Presiding

At 2:32 p.m., Hon. Jerrold L. Seawell, President pro tempore of the Senate, presiding.

MOTION TO RETAIN PLACE ON FILE

Senator Mayo moved that Senate Constitutional Amendment No. 2 and Senate Bill No. 79 retain their places on file without penalty.

Motion carried.

THIRD READING OF SENATE BILLS

Senate Bill No. 61—An act to amend Section 2302 of the Health and Safety Code, relating to the maximum rate of tax for mosquito abatement districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Biggar, Brown, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Seawell, Shelley, Slater, Sutton, Swing, Ward, and Weybret—32.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Seawell, Shelley, Slater, Sutton, Swing, Ward, and Weybret—33.
NOES—None.

Bill ordered transmitted to the Assembly.

MOTION TO RETAIN PLACE ON FILE

Senator Kuchel moved that Senate Bill No. 40 be passed on file without penalty.

Motion carried.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 88—An act to add Sections 164.5 and 206.7 to the Welfare and Institutions Code, relating to reports concerning veterans in public institutions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Seawell, Shelley, Slater, Sutton, Swing, Ward, and Weybret—33.
NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 83—An act to add Chapter 13.6 to Division 3 of the Education Code, relating to the support of school districts in distress as a result of war created conditions, and making an appropriation therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Seawell, Shelley, Slater, Sutton, Swing, Ward, and Weybret—33.
NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 49—An act providing for research and its adaptation to the production, processing, distribution and utilization of agricultural products grown in the State of California and making an appropriation therefor, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Biggar, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McCormack, Mixter, Parkman, Quinn, Rich, Seawell, Shelley, Slater, Sutton, Swing, Ward, and Weybret—32.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen,

Judah, Keating, Kuchel, Mayo, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Seawell, Shelley, Slater, Sutton, Swing, Ward, and Weybret—33.
NOES—None.

Bill ordered transmitted to the Assembly.

Chief Assistant Secretary Cleve V. Taylor at the Desk

Senate Bill No. 60—An act to make an appropriation to the Vocational Education Fund for an Apprenticeship Training Program for Veterans, declaring the urgency of the act to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Biggar, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Seawell, Shelley, Slater, Sutton, Swing, Ward, and Weybret—34.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Seawell, Shelley, Slater, Sutton, Swing, Ward, and Weybret—33.
NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 70—An act making an appropriation to the Division of Beaches and Parks for the establishment and development of riders' and hikers' trails, declaring the urgency hereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Biggar, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Seawell, Shelley, Slater, Sutton, Swing, Ward, and Weybret—34.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Seawell, Shelley, Slater, Sutton, Swing, Ward, and Weybret—33.
NOES—None.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF SPECIAL ORDER

The hour of 3 p.m. having arrived, Assembly Bill No. 60 and Senate Bill No. 90 were taken up.

Assembly Bill No. 60—An act making an appropriation for allocation to cities, counties, and cities and counties for the prevention and alleviation of unemployment through the construction of public works in which there is a State interest, and providing the procedure for making such allocations.

Bill read third time.

Motion to Amend

Senator DeLap moved the adoption of the following amendments:

Amendment No. 1

On page 6, lines 23 and 24, of the printed bill, as amended in the Senate on February 1, 1946, strike out "forty-five million dollars ($45,000,000)", and insert "forty-two million seven hundred fifty thousand dollars ($42,750,000)".

Amendment No. 2

On page 6 of said bill, between lines 39 and 40, insert

"Sec. 14.5. Of the money appropriated by Section 8, and in addition to the above allocations, two million two hundred fifty thousand dollars ($2,250,000) shall be allocated by the board to those cities as to which the board finds that there has been since 1940 a relatively greater increase in population as compared to increase in assessed valuation of taxable property than the average increase in population as compared to increase in assessed valuation of all the cities in the State. Such increases shall be determined by the board upon the basis of such facts and estimates as are currently available to it. In determining the amounts to be allocated to the cities eligible for allocations under this section, the board shall give consideration to the following factors:

(a) The existence of unemployment in the city which may be alleviated by the construction of public works.

(b) The relative ability of the several cities to finance the cost thereof.

(c) The relative needs of the several cities for the construction of projects of the type specified in Section 15."

Amendments read.

Motion to Table

Senator Hatfield moved that the amendments by Senator DeLap be laid on the table.

Roll Call Demanded

Senators DeLap, Rich, and Powers demanded a roll call.

The roll was called, and the motion carried by the following vote:

AYES—Senators Biggar, Brown, Carter, Collier, Crittenden, Cunningham, Desmond, Deuel, Dilworth, Donnelly, Dorsey, Fletcher, Hatfield, Hulse, Jespersen, Keating, Mayo, Parkman, Powers, Quinn, Seawell, Slater, Sutton, Swing, Ward, and Weybret—26.

NOES—Senators DeLap, Gordon, Judah, Kuchel, McCormack, Mixter, Rich, Salsman, and Shelley—9.

Further Consideration of Assembly Bill No. 60

Motion to Amend

Senators DeLap and Shelley moved the adoption of the following amendments:

Amendment No. 1

On page 4 of the printed bill, as amended, in the Senate on February 1, 1946, strike out lines 25 and 26, and insert "population of the State. The total population of each county shall be determined for this purpose by adding the amount of any increase in population, as shown by a special census taken pursuant to Chapter 581 of the Statutes of 1943, of any city in such county to the population of the county as reported by the United States Census of 1940, and the total population of the State shall be determined in like manner."

Amendment No. 2

On page 6, line 30, of said bill, strike out the period, and insert ", or as determined by a special census taken pursuant to Chapter 581 of the Statutes of 1943."

Amendment No. 3

On page 6, line 40, of said bill, strike out the period, and insert ", or as determined by a special census taken pursuant to Chapter 581 of the Statutes of 1943."

Amendments read.

Previous Question

Senator Hatfield moved the previous question.

The question being on the adoption of the amendments by Senators DeLap and Shelley.

Roll Call Demanded

Senators DeLap, Rich, and Gordon demanded a roll call.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Senators DeLap, Desmond, Gordon, Keating, Kuchel, McCormack, Mixter, Rich, Salsman, and Shelley—10.

NOES—Senators Biggar, Brown, Burns, Carter, Collier, Crittenden, Cunningham, Deuel, Dilworth, Donnelly, Dorsey, Fletcher, Hatfield, Hulse, Jespersen, Judah, Mayo, Parkman, Powers, Quinn, Seawell, Slater, Sutton, Swing, Ward, and Weybret—26.

REQUEST FOR UNANIMOUS CONSENT

Senator Carter asked for, and was granted, unanimous consent to have the following Statement by the State Reconstruction and Reemployment Commission quoted from a document entitled "Estimates of Wartime and Postwar Employment Commission," printed in the Journal:

Statement by State Reconstruction and Reemployment Commission

From a document entitled "Estimates of Wartime and Postwar Employment in California" by the State Reconstruction and Reemployment Commission, dated December, 1944, I quote from pages 42, 43, and 44 the following:

Estimated Range of Unemployment in California in First Postwar Year

By comparing the maximum and minimum employment estimates with the maximum and minimum labor force estimates, the probable range of unemployment in the first postwar year may be approximated. Maximum employment, it will be remembered, was estimated at 3,200,000, while minimum employment was estimated at 2,800,000. Applying the maximum and minimum employment estimates to the minimum and maximum labor force estimates yields four separate estimates for unemployment:

1. 1,200,000, if minimum employment occurs with maximum labor force, a ratio of 30 per cent between unemployment and labor force.
2. 765,000, if minimum employment occurs with minimum labor force, a ratio of 21.4 per cent.
3. 800,000, if maximum employment occurs with maximum labor force, a ratio of 20 per cent.
4. 365,000, if maximum employment occurs with minimum labor force, a ratio of 10.2 per cent.

The lowest unemployment estimate of 365,000 assumes that maximum employment will occur with the minimum population, but only the demand for goods and services created by a larger population would probably create that much employment. On the other hand, the highest estimated unemployment, of 1,200,000, is not likely to be reached under the basic assumptions. If economic conditions in the State became as bad as those assumed for the moderately low level employment while the Nation was experiencing a higher level of business activity, thousands of unemployed workers and their families would probably move elsewhere.

It is impossible to make a categorical forecast of the magnitude of unemployment in the first postwar year, but the best indications are that unemployment will probably range somewhere between a *low of about 450,000 and a high of about 800,000*. If the number of unemployed workers in California in the first postwar year exceeded 800,000, outward migration may be expected to reduce unemployment to or below this figure, *unless* a nation-wide economic depression existed at that time. If such a depression should exist in the first postwar year, unemployment in California might even exceed above the maximum estimate.

A narrower range in the ratio of unemployment to civilian labor force, probably somewhere between 12.5 and 20 per cent, is therefore, expected in the first postwar year instead of the extreme range of 10.2 to 30 per cent indicated above.

In April, 1940, the unemployed comprised 14.6 per cent of California's civilian labor force, approximately the same proportion reported for the Nation. The Commission's report on postwar population in California points out:

> Postwar displacements of workers will be relatively much greater in California than in the Nation as a whole, and unemployment will probably be higher in proportion to employment, even with a temporary outward movement of civilians and service men with their families. Because of the proportionately greater displacement of workers in California and the ever present attraction of its climate, the State probably will not lower its unemployment *ratio* below the national average during the postwar transition.

On the other hand, unless there is large and widespread unemployment throughout the United States in the years immediately following the war, the ratio of unemployed to employed persons in California would probably not be higher than *twice* the corresponding ratio for the Nation.

Further Consideration of Assembly Bill No. 60

Assembly Bill No. 60—An act making an appropriation for allocation to cities, counties, and cities and counties for the prevention and alleviation of unemployment through the construction of public works in which there is a State interest, and providing the procedure for making such allocations.

Bill read third time, and presented by Senator Hulse.

Previous Question

Senator Carter moved the previous question.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Burns, Carter, Collier, Crittenden, Cunningham, Desmond, Deuel, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McCormack, Mixter, Parkman, Powers, Quinn, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Ward, and Weybret—34.
NOES—Senators DeLap and Rich—2.

Bill ordered transmitted to the Assembly.

FURTHER CONSIDERATION OF SPECIAL ORDER

CONSIDERATION OF SENATE BILL NO. 90

Senate Bill No. 90—An act making an appropriation for allocation to cities, counties, and cities and counties for the prevention or alleviation of unemployment through the construction of public works in which there is a State interest, and providing the procedure for making such allocations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Burns, Carter, Collier, Crittenden, Cunningham, Desmond, Deuel, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McCormack, Mixter, Parkman, Powers, Quinn, Salsman, Seawell, Shelley, Slater, Swing, Ward, and Weybret—33.
NOES—Senators DeLap and Rich—2.

Bill ordered transmitted to the Assembly.

REQUEST FOR UNANIMOUS CONSENT

Senator Hatfield asked for, and was granted, unanimous consent to have the following opinion of the Legislative Counsel regarding Assembly Bill No. 60 printed in the Journal:

Opinion of Legislative Counsel

OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, CALIFORNIA, February 3, 1946

Memorandum re Constitutionality of Assembly Bill No. 60 (as amended February 1, 1946), Which Makes an Appropriation for Allocation to Local Agencies for Prevention or Alleviation of Unemployment Through the Construction of Public Works in Which There Is a State Interest—No. 7307

After careful analysis of Assembly Bill No. 60, as amended in the Senate February 1, 1946, it is our opinion that the provisions of the bill are constitutional; that it is legislation upon a subject specified in the Proclamation; that it makes an appropria-

tion for a single and certain purpose; and that it does not make a gift of State funds to a municipal corporation in violation of constitutional restrictions.

The bill makes an appropriation of $90,400,000 from the Postwar Unemployment and Construction Fund to be expended in carrying out its provisions. (Sec. 8) From this appropriation, $45,000,000 is allocated to the counties of the State and a like amount is allocated to the cities of the State for expenditure for the purpose of defraying the State's share of the cost of construction of specified types of public works projects in which there is declared to be a State interest. The balance of the appropriation is made available to the Controller and the director and the Department of Finance for administrative purposes.

The purpose of the act is set forth in detail in Section 1, which, briefly stated, is the prevention and alleviation of unemployment through a Program of Public Works.

The bill is clearly legislation upon a subject specified in the Proclamation convening the special session, Item 4, which reads:

To consider and act upon legislation to appropriate money for public works.

The provisions of the bill are very similar to those of Chapter 47 of the 1944 (4th Extraordinary) Session (Statutes 1945, page 196), which made an appropriation for allocation to local agencies for the preparation of plans and the acquisition of sites and rights of way for a Public Works Program to prevent and alleviate unemployment. The validity of that statute and all of its provisions are upheld by the Supreme Court of California in the case of *City of Los Angeles* vs. *Postwar Public Works Review Board*, 26 A. C. (2d) 28. We believe that case is directly in point as to the validity of this bill and that if the validity of this bill is challenged in the courts, its provisions will be upheld upon the same grounds and for the same reasons that upheld the validity of Chapter 47.

FRED B. WOOD, Legislative Counsel
By LAWRENCE G. ALLYN, Deputy

MOTION TO PRINT IN JOURNAL

Senator Salsman moved that an excerpt from the San Jose Mercury Herald "An Open Letter to the Governor," be printed in the Journal.

Motion lost.

MOTION TO RETAIN PLACE ON FILE

Senator Burns moved that Senate Concurrent Resolution No. 16 retain its place on file without penalty.

Motion carried.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, February 4, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 11—An act to extend the effective date of an act entitled "An act relating to the performance by the Department of Public Works of highway and other cooperative work for the Federal Government, making an appropriation for administrative expenses, declaring the urgency thereof, and providing that this act shall take effect immediately," approved February 10, 1943, as amended;

And reports that the same has been correctly enrolled, and presented to the Governor on the fourth day of February, 1946, at 3 p.m.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, February 4, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 97
Senate Bill No. 104
Senate Joint Resolution No. 4

And reports the same correctly engrossed.

SEAWELL, Chairman

APPOINTMENT OF COMMITTEE ON CONFERENCE

SENATE CHAMBER, SACRAMENTO, February 4, 1946

MR. PRESIDENT: Your Committee on Rules announces the appointment of Senators Quinn, Kuchel, and Dilworth as a Senate Committee on Conference concerning Senate Bill No. 19 to meet a like committee of the Assembly.

SENATE COMMITTEE ON RULES
SEAWELL, Chairman

THE FOLLOWING PROPOSED BILLS WERE READ, AND REFERRED TO COMMITTEE ON RULES

By Senators Seawell, Hatfield, Collier, Powers, Parkman, Rich, Keating, and McCormack—An act to add Section 6.1 to the Alcoholic Beverage Control Act, relating to Veterans' organizations and providing for the issuance of on-sale distilled spirits licenses to such organizations.

By Senator Salsman—Relative to memorializing the Congress of the United States, the National Labor Relations Board, and the United States Conciliation Service relative to the settlement of a jurisdictional labor dispute between the CIO Food, Tobacco, Agricultural, and Allied Workers' Union of America, and the American Federation of Labor Cannery Workers' Union, affiliated with the International Teamsters' Union.

ADJOURNMENT

At 5.18 p.m., on motion of Senator Rich, the President declared the Senate adjourned until 10.30 a.m., Tuesday, February 5, 1946, out of respect to the memory of the late Hon. Harry B. Riley.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-SIXTH (FIRST EXTRAORDINARY) SESSION

SENATE DAILY JOURNAL

TWENTY-SECOND LEGISLATIVE DAY

THIRTIETH CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO
Tuesday, February 5, 1946

The Senate met at 10.30 a.m.

Hon. Jerrold L. Seawell, President pro tempore of the Senate, presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Biggar, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Ward, and Weybret—37.

Quorum present.

PRAYER

By invitation of the President, prayer was offered by Rev. Dr. Torrance Phelps, Pastor of the Pioneer Congregational Church.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senators Fletcher and Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Sumner Mering of Sacramento and Mr. and Mrs. Herbert Malarkey of Portland, Oregon.

On request of Senator Sutton, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Gerald Boyes, daughter and son-in-law of Senator Sutton of Princeton.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Major Osborne White of Healdsburg, and Major Ralph Frerichs of Sebastopol, both of the San Francisco State Guard.

On request of Senator Ward, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Ophir Ore Shroeder of Oakland and Miss Arlene Wienke of Phoenix, Arizona.

On request of Senator Shelley, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Sister Marie Eucharista, Principal; Sister Anna Miriam, Sister Jeanne Marie, of the Notre Dame High School at San Francisco, and the following students: Ofelia Aguilla, Janet Arnke, Marguerite Baker, Josephine Barragan, Jeanne Brandon, Mary Agnes Cannon, Mary Carney, Barbara J. Carroll, Jeanne Carroll, Virginia Chaubin, Jean Crescio, Lois Dunlevy, Joan Dunnigan, Dolores Dwyer, Helen Gaffney, Gloria Galli, Patricia Galvin, Jacqueline Golden, Consuelo Gonzales, Patricia Greenleaf, Juanita Hicks, Lenore Hyman, Margaret M. Johnson, Kay Loftus, Barbara Lyons, Mary Anne Malone, Anne Maloney, Barbara McBride, Jeanne B. Morrow, Georgia O'Brien, Kathleen O'Connell, Jeanette Ottria, Claire Pearson, Lois Queirolo, Gloria Sala, Dorothy Scott, Helen Sears, Nannette Shirach, Donna Sieben, Dorothy Skillen, Lucille Spellman, Dolores Sweeney, Georgia Swensden, Shirley Thompson, and Jeanne Wildgans.

On request of Senator Collier, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Miss Barbara McBride and Miss Lenore Hyman of Notre Dame High School of San Francisco.

COMMUNICATIONS

The following communication was received, read, and ordered printed in the Journal:

FIFTY-FOURTH ASSEMBLY DISTRICT DEMOCRATIC CLUB
LOS ANGELES 41, CALIFORNIA, January 31, 1946

HONORABLE SIR: The Fifty-fourth Assembly District Democratic Club considers the matters covered at the Statewide Emergency Legislative Conference to be of utmost importance, and, at its meeting held on January 25, 1946, the following resolution was unanimously adopted:

WHEREAS, A legislative emergency exists; therefore, be it

Resolved, That the Fifty-fourth Assembly District Democratic Club expresses its wholehearted approval of the program adopted at the Statewide Emergency Legislative Conference at Sacramento on January 5 and 6, 1946; be it further

Resolved, That the secretary be instructed to write to members of the committees acting on the abovementioned legislation urging "do pass" recommendation.

Attested:

LUCIEN G. DODGE, President
GEORGE W. ZINKE, Chairman Resolutions Committee

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly appointed Messrs. McCollister, Emlay, and Beal as a Committee on Conference concerning:

Senate Bill No. 19—An act to add Article 5A, comprising Sections 993 to 994.3 inclusive, to Chapter 6 of Division 4 of the Military and Veterans Code, authorizing the creation of a debt or debts, liability or liabilities, through the issuance and sale of State bonds, for the single object of creating a fund to provide farm and home aid for veterans in accordance with the provisions of the Veteran Farm and Home Purchase Act of 1943; defining the powers and duties of said committee and of the Veterans' Welfare Board and other State officers in respect to the administration of the provisions hereof; providing ways and means, exclusive of loans, for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures; appropriating money for the expense of preparing and of advertising the sale of bonds herein authorized to be issued; and providing for the submission of this act to a vote of the people at the general election to be held in the month of November, 1946.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By HAROLD F. LEWRIGHT, Assistant Clerk

REPORTS OF STANDING COMMITTEES

Committee on Governmental Efficiency

SENATE CHAMBER, SACRAMENTO, February 5, 1946

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred:

Assembly Bill No. 129

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 11; committee vote: Ayes 9, absent 2.

SWING, Chairman

Above reported bill ordered to second reading.

Committee on Rules

SENATE CHAMBER, SACRAMENTO, February 4, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Assembly Bill No. 138

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Education.

Committee membership 5; committee vote: Ayes 4; absent 1.

SEAWELL, Chairman

Above reported bill re-referred to Committee on Education.

SENATE CHAMBER, SACRAMENTO, February 4, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Assembly Bill No. 102

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Finance.

Committee membership 5; committee vote: Ayes 4; absent 1.

SEAWELL, Chairman

Above reported bill re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, February 4, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Assembly Bill No. 99

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Water Resources.

Committee membership 5; committee vote: Ayes 4; absent 1.

SEAWELL, Chairman

Above reported bill re-referred to Committee on Water Resources.

SENATE CHAMBER, SACRAMENTO, February 4, 1946

MR. PRESIDENT: Your Committee on Rules, to which were referred:

Proposed Senate Bill No. 110	Assembly Bill No. 136
Assembly Bill No. 130	Assembly Bill No. 144
Assembly Bill No. 135	Assembly Bill No. 147

Has had the same under consideration, and finds that same are within the purview of the call, and directs that they be referred to the Committee on Governmental Efficiency.

Committee membership 5; committee vote: Ayes 4; absent 1.

SEAWELL, Chairman

Above reported Assembly bills re-referred to Committee on Governmental Efficiency.

SENATE CHAMBER, SACRAMENTO, February 4, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Proposed Senate Joint Resolution No. 5

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Labor.

Committee membership 5; committee vote: Ayes 4; absent 1.

SEAWELL, Chairman

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following bills were introduced, and read the first time:

Senate Bill No. 110: By Senators Seawell, Hatfield, Collier, Powers, Parkman, Rich, Keating, and McCormack—An act to add Section 6.1 to the Alcoholic Beverage Control Act, relating to veterans' organizations and providing for the issuance of on-sale distilled spirits licenses to such organizations.

Referred to Committee on Governmental Efficiency.

Senate Joint Resolution No. 5: By Senator Salsman—Relative to memorializing the Congress of the United States, the National Labor Relations Board, and the United States Conciliation Service relative to the settlement of a jurisdictional labor dispute between the CIO Food, Tobacco, Agricultural, and Allied Workers' Union of America, and the American Federation of Labor Cannery Workers' Union, affiliated with the International Teamsters' Union.

Referred to Committee on Labor.

MOTION TO APPOINT SPECIAL COMMITTEE

Senator Desmond moved that the President of the Senate appoint a Committee of Three Senators to represent the Senate at the funeral of Harry B. Riley.

Motion carried.

The President announced, in accordance with the above motion, the appointment of Senators Desmond, Slater, and Jespersen.

CONSIDERATION OF DAILY FILE

UNFINISHED BUSINESS

Consideration of Assembly Amendments

Senate Bill No. 50—An act to amend Sections 820 and 987 of the Military and Veterans Code, relating to the rate of interest on veteran farm and home loans, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Bill No. 50?

Amendment No. 1

On page 2, line 52, of the printed bill, as amended, strike out "5", and insert "4".

Amendment No. 2

On page 3, line 46, of said bill, strike out "5", and insert "4".

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 50 by the following vote:

AYES—Senators Biggar, Brown, Collier, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Fletcher, Gordon, Hatfield, Jespersen, Judah, Keating, Kuchel, Mayo, McCormack, Mixter, Parkman, Quinn, Salsman, Seawell, Slater, Sutton, Swing, Ward, and Weybret—28.

NOES—None.

Above bill ordered enrolled.

SECOND READING OF SENATE BILLS

Senate Bill No. 92—An act making an appropriation to the Department of Education to be expended for the performance of the powers and duties of the department relating to veterans, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 94—An act to amend the title and Section 2 of, and to add Section 1.5 to, an act entitled "An act to provide for refunding or crediting to veterans of World War I certain payments and interest thereon made pursuant to contracts for the purchase of farms and homes under the Veterans Farm and Home Purchase Act and Chapter 3 of Division 4 of the Military and Veterans Code;" approved July 18, 1945, relating to refunding or crediting certain payments and interest made pursuant to contracts for the purchase of farms and homes by veterans.

Bill read second time, ordered engrossed, and to third reading.

Chief Assistant Secretary Cleve V. Taylor at the Desk

THIRD READING OF SENATE BILLS

Senate Bill No. 40—An act to add Section 18 and Article 10, comprising Sections 150 to 404 to, and to amend Sections 19, 20, and 40 of, the Unemployment Insurance Act, to establish a System of Unemployment Compensation Disability Benefit Payments.

Bill read third time.

Motion to Amend

Senator Desmond moved the adoption of the following amendments:

Amendment No. 1

On page 3, line 19, of the printed bill, strike out "full".

Amendment No. 2

On page 3, line 22, of said bill, strike out the period after "benefits", and insert "provided however that if an individual is unemployed and disabled for any period of less than a full week subsequent to the waiting period provided in Section 206 he shall be paid for each day of such disability one seventh of the weekly benefit amount to which he would have been entitled if he had been unemployed and disabled for a full week."

Amendment No. 3

On page 3, line 25, of said bill, strike out "full", and after "week" insert "or portion thereof".

Amendment No. 4

On page 3, line 30, of said bill, strike out "one (1) week during any one benefit year.", and insert "seven consecutive days during each uninterrupted period of disability".

Amendment No. 5

On page 3, line 44, of said bill, after "week", insert "or portion thereof".

Amendment No. 6

On page 3, line 49, of said bill, after "week", insert "or portion thereof".

Amendment No. 7

On page 4, line 1, after "week", insert "or portion thereof".

Amendments read.

Roll Call Demanded

Senators Shelley, Desmond, and Donnelly demanded a roll call.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Senators Brown, Desmond, Dilworth, Dorsey, Gordon, Hatfield, Hulse, Kuchel, Mixter, Parkman, Quinn, Rich, Seawell, Ward, and Weybret—15.

NOES—Senators Biggar, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Fletcher, Jespersen, Judah, Keating, Mayo, McCormack, Powers, Salsman, Shelley, Slater, Sutton, and Swing—20.

Further Amendments to Senate Bill No. 40

Motion to Amend

Senator Desmond moved the adoption of the following amendments:

Amendment No. 1

On page 3, line 37, of the printed bill, after "submit", insert "and when required by the commission has submitted".

Amendment No. 2

On page 4, line 35, of said bill, strike out "a", and insert "the first".

Amendment No. 3

On page 4, line 37, of said bill, strike out the period after "claimant", and insert "and an estimate of the probable duration of such disability. The commission is empowered to require by regulation any benefit claimant to submit to a reasonable examination or examinations for the purpose of determining his physical or mental condition, such examination or examinations to be conducted by an expert or experts appointed by the commission and to be made at such times and in such places as said experts, with the approval of the commission, require."

Amendments read.

Amendments Withdrawn

Senator Desmond withdrew the amendments.

Further Consideration of Senate Bill No. 40

Senate Bill No. 40—An act to add Section 18 and Article 10, comprising Sections 150 to 404 to, and to amend Sections 19, 20, and 40 of, the Unemployment Insurance Act, to establish a System of Unemployment Compensation Disability Benefit Payments.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Ward, and Weybret—35.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 32—An act to amend Section 2302 of the Welfare and Institutions Code, relating to the inspection services licensing agencies for the care of the aged, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Ward.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Biggar, Brown, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Ward, and Weybret—35.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McCormack, Mixter, Parkman, Powers, Rich, Salsman, Shelley, Slater, Sutton, Swing, and Ward—30.

NOES—None.

Bill ordered transmitted to the Assembly.

Senator Powers Presiding

At 11.25 a.m., Senator Harold J. Powers of the First District, presiding.

Senate Bill No. 33—An act to amend Section 1622 of the Welfare and Institutions Code, relating to inspection services licensing agencies for child care and home finding, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Ward.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Brown, Collier, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McCormack, Mixter, Parkman, Powers, Salsman, Seawell, Slater, Sutton, Swing, and Ward—28.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Collier, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McCormack, Mixter, Parkman, Powers, Quinn, Salsman, Seawell, Slater, Sutton, Swing, Ward, and Weybret—30.
NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 85—An act to add Article 4 to Chapter 1 of Division 1 of the Education Code, relating to the empowering of the Department of Education to act in connection with the acquisition by the schools of the State of surplus property from the Federal Government and making an appropriation therefor, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Brown, Burns, Collier, Crittenden, DeLap, Desmond, Deuel, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Slater, Sutton, Swing, Ward, and Weybret—31.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Burns, Collier, Crittenden, DeLap, Desmond, Deuel, Dillinger, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Ward, and Weybret—33.
NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 78—An act to amend Section 185 of the Streets and Highways Code, to make an appropriation for the Revolving Fund of the Division of Highways, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Biggar, Brown, Burns, Collier, Crittenden, DeLap, Desmond, Deuel, Dillinger, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Jespersen, Judah, Keat-

ing, Kuchel, Mayo, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Ward, and Weybret—33.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Burns, Collier, Crittenden, DeLap, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Ward, and Weybret—34.
NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 104—An act to add Section 126 to the Government Code, relating to the acquisition of land in this State by the United States and the consent of the Legislature to such acquisition upon the conditions and subject to the reservations in this act prescribed.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Gordon, Hatfield, Jespersen, Judah, Keating, Kuchel, Mayo, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Ward, and Weybret—33.
NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 100—An act to add Sections 3211.9, 3211.91, 3211.92, 3211.93, and 3211.94 to, and Chapter 10.5, comprising Sections 4351 to 4387, inclusive, to Part 1 of Division 4 of the Labor Code, and to add Article 10.7 to Chapter 1 of Division 7 of the Military and Veterans Code, relating to the furnishing of workmen's compensation benefits to disaster service workers, including the limiting of the liability of the State of California, counties, cities, and disaster councils for injuries arising out of and occurring in the course of activities as a disaster service worker, authorizing the California State Disaster Council to certify disaster councils and to make rules and regulations for the classifying and registering of disaster service workers, providing for the State Compensation Insurance Fund to act as adjusting agent, and making an appropriation for the furnishing of workmen's compensation benefits, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Biggar, Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McCormack, Mixter, Parkman, Powers, Quinn, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Ward, and Weybret—34.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Jespersen, Judah, Keating, Kuchel, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Ward, and Weybret—33.
NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 97—An act to amend Sections 2941 and 2957 of, and to add Sections 2941.5, and 2972.5 to, the Civil Code, relating to mortgages, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Biggar, Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Deuel, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mixter, Parkman, Powers, Rich, Seawell, Shelley, Slater, Swing, Ward, and Weybret—27.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Deuel, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, McCormack, Mixter, Parkman, Powers, Rich, Seawell, Shelley, Slater, Swing, Ward, and Weybret—28.
NOES—None.

Bill ordered transmitted to the Assembly.

Senate Concurrent Resolution No. 16—Relative to the need for additional funds to cover cost of licensing, inspecting, regulating, and supervising public and private hospitals, requesting the Director of Finance to make money available for this purpose.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Dorsey, Fletcher, Gordon, Jespersen, Judah, Keating, Mayo, McCormack, Parkman, Powers, Rich, Salsman, Seawell, Slater, Sutton, Swing, Ward, and Weybret—28.
NOES—None.

Resolution ordered transmitted to the Assembly.

Secretary J. A. Beek at the Desk

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 17—An act making an appropriation to the Department of Finance to cover additional cost of construction, improvements, and equipment, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Rich.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Biggar, Brown, Burns, Collier, Cunningham, DeLap, Deuel, Donnelly, Dorsey, Fletcher, Gordon, Jespersen, Judah, Keating, Mayo, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Ward, and Weybret—29.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Deuel, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Jespersen, Judah, Keating, Mayo, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Ward, and Weybret—31.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 65—An act to add Sections 20602.2 and 20602.7 to the Government Code, relating to veterans, and providing for their rights and privileges as members of the State Employees' Retirement System, to take effect immediately.

Bill read third time, and presented by Senator Quinn.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Biggar, Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Jespersen, Judah, Keating, Mayo, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Ward, and Weybret—32.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Burns, Collier, Crittenden, DeLap, Desmond, Deuel, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Jespersen, Judah, Keating, Mayo, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Ward, and Weybret—31.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 73—An act to amend Section 20894.5 of the Government Code, relating to the State Employees' Retirement System, and providing for contributions for persons in the military service.

Bill read third time, and presented by Senator Quinn.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Burns, Collier, Cunningham, DeLap, Desmond, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Jespersen, Keating, Kuchel, Mayo, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Seawell, Shelley, Slater, Sutton, Swing, Ward, and Weybret—29.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 35—An act to provide for a Medical School and Center at the University of California at Los Angeles, and to make an appropriation therefor.

Bill read third time, and presented by Senator DeLap.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Burns, Collier, Crittenden, DeLap, Desmond, Deuel, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Judah, Keating, Kuchel, Mayo, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Ward, and Weybret—31.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 61—An act making an appropriation for the Medical Center of the University of California in San Francisco.

Bill read third time, and presented by Senator Shelley.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Fletcher, Gordon, Jespersen, Judah, Keating, Kuchel, Mayo, McCormack, Mixter, Parkman, Powers, Quinn, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Ward, and Weybret—32.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 4—An act to add Section 1.5 to Chapter 873 of the Statutes of 1929, being an act, approved June 19, 1929 and entitled "An act to authorize, empower and direct the Governor of the State of California to employ counsel, agents and attorneys for the purpose of prosecuting, collecting and recovering claims of the State of California against the United States of America for disbursements made by the State of California in aid of the General Government during the Civil, Spanish, Indian and other wars and to prescribe the terms and conditions of employment, the rate of compensation therefor; and the manner of payment thereof, and to repeal an act entitled 'An act to authorize, empower, and direct the Governor of the State of California to employ counsel, agents, and attorneys for the purpose of prosecuting, collecting and recovering the claims of the State of California against the United States of America, to prescribe the terms and conditions of the employment, the rate of compensation therefor, and the manner of payment thereof,' approved March 23, 1907, and also repealing an act entitled 'Concerning the war debt of this State, and providing for the redemption thereof,' approved April 19, 1856," relating to the authority of the Governor to contract for the recovery of claims of the State against the United States arising out of the Civil, Spanish, Indian and other wars, declaring the urgency thereof, and take effect immediately.

Bill read third time, and presented by Senator Keating.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Biggar, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McCormack, Mixter, Parkman, Powers, Quinn, Salsman, Seawell, Shelley, Slater, Swing, Ward, and Weybret—34.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McCormack, Mixter, Parkman, Powers, Quinn, Salsman, Seawell, Shelley, Slater, Swing, Ward, and Weybret—34.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 80—An act to make an appropriation to the California Polytechnic School for the production of herbs and plants for applied research in the production of resins, gums, and oils for medicinal and other purposes, declaring the urgency of this act, to take effect immediately.

Bill read third time, and presented by Senator Biggar.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Biggar, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Jespersen, Judah, Keating, Kuchel, Mayo, McCormack, Mixter, Parkman, Powers, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Ward, and Weybret—34.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Hatfield, Jespersen, Judah, Keating, Kuchel, Mayo, McCormack, Mixter, Parkman, Powers, Quinn, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Ward, and Weybret—34.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 85—An act to add Section 159 to the Revenue and Taxation Code, relating to property taxes of persons in the armed forces of the United States, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Senator Quinn moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 2, of the printed bill, as amended, strike out "Taxaton", and insert "Taxation".

Amendment No. 2

On page 2 of said bill, between lines 10 and 11, insert
"As a condition to the receipt of the benefits of this section the board of supervisors may require an individual to file an affidavit setting forth the facts bringing him within the terms of this section."

Amendments read and adopted.
Bill ordered printed, and to third reading.

Assembly Bill No. 15—An act making an appropriation to the Department of Industrial Relations for apprenticeship training, to take effect immediately.

Bill read third time, and presented by Senator Shelley.
The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Jespersen, Judah, Keating, Kuchel, Mayo, McCormack, Mixter, Parkman, Powers, Quinn, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Ward, and Weybret—35.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Joint Resolution No. 3—Relative to memorializing Congress to enact S. 1592, to establish a National housing policy and to provide for its execution.

Resolution read, and presented by Senator Shelley.
The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McCormack, Mixter, Parkman, Powers, Quinn, Salsman, Seawell, Shelley, Slater, Swing, Ward, and Weybret—33.
NOES—None.

Resolution ordered transmitted to the Assembly.

Assembly Concurrent Resolution No. 18—Relative to the condition of State funds and estimation of surplus at the end of this biennium, requesting the State Controller and the Director of Finance for information in respect thereto.

Resolution read, and presented by Senator Hatfield.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McCormack, Mixter, Parkman, Powers, Quinn, Salsman, Seawell, Shelley, Slater, Sutton, Swing, and Ward—35.
NOES—None.

Resolution ordered transmitted to the Assembly.

Assembly Bill No. 54—An act to add Section 19402 to the Government Code, relating to leaves of absence of veterans in the State civil service.

Bill read third time, and presented by Senator Shelley.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McCormack, Mixter, Parkman, Powers, Quinn, Salsman, Seawell, Shelley, Slater, Sutton, and Ward—34.
NOES—None.

Bill ordered transmitted to the Assembly.

MOTION TO RETAIN PLACE ON FILE

Senator Mayo moved that Senate Constitutional Amendment No. 2 and Senate Bill No. 79 retain their places on file without penalty.

Motion carried.

RESOLUTIONS

The following resolutions were offered:

By Senator Desmond:

Senate Resolution No. 24
Relative to honoring the memory of Leif Ericson

WHEREAS, Scandinavians and people of Scandinavian descent have observed October 9th of each year as the occasion to honor the memory of Leif Ericson, the famed Norwegian seaman, who was the first white man known to have landed on the shores of North America some 945 years ago; and

WHEREAS, The principles of democracy were first expounded by the Scandinavians as early as the year 900 A. D.; and

WHEREAS, The American people are now emerging from the greatest of all wars as a protector of such principles and the general rights of free peoples; now, therefore, be it

Resolved by the Senate of the State of California, That October 9th, of each year, shall be designated as "Leif Ericson Day" in California; and be it further

Resolved, That civic, fraternal and patriotic groups and the general public are requested to join with Scandinavians in celebrating such day; and be it further

Resolved, That public schools may observe the occasion by devoting one-half hour to appropriate exercises relative to and in commemoration of the life and history of Leif Ericson and the principles he fostered; and be it further

Resolved, That should such date fall upon a holiday, such school exercises may be held on the school day nearest such date.

Resolution read, and adopted.

By Senators Quinn, Slater, Dorsey, and Biggar:

Senate Resolution No. 25
Relative to adjournment in memory of H. L. Ricks

The Members of the Senate of California State Legislature are deeply grieved to hear of the sudden death of H. L. Ricks, Chairman of the Fish and Game Commission of the State of California, widely known and beloved throughout our State, in Eureka, on January 31, 1946.

H. L. Ricks, affectionately known as "Toppy" was born in Eureka, on August 4, 1890, of pioneer parents, where after graduating from the University of California, and being admitted to the Bar, he joined in a partnership with the late H. C. Nelson, former State Senator from Humboldt County. Eminently successful in his chosen profession, yet his contribution to the conservation of wild life and game in California has been outstanding.

He was best known for his true and ideal sportsmanship. From long study and experience in the field, he acquired a deep knowledge of fish and game life. He was looked upon as a leader and sound thinker in that field. He has left a monument of enduring works.

He was renowned for his fine wit and humor. He was endowed with a personality and warmth of character that endeared him to legions of his fellow men throughout California.

Resolved, That when the Senate shall on this day adjourn they shall do so in deference and respect to the memory of the Honorable H. L. Ricks, and be it further

Resolved, That the Secretary of the Senate be, and he is directed to transmit engrossed copies of this resolution to the members of the bereaved family of the Honorable H. L. Ricks.

Resolution read, and adopted by a rising vote of the following Senators:

Senators Biggar, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Ward, and Weybret—37.

THE FOLLOWING PROPOSED BILLS WERE READ, AND REFERRED TO COMMITTEE ON RULES

By Senators Collier, Gordon, and Slater—An act making an appropriation to carry out the State Postwar Building Program in respect to the Veterans' Home of California.

By Senator Desmond—An act to add Section 261 to the Revenue and Taxation Code, relating to the veterans' exemption and the period for which and the manner in which it may be claimed, declaring the urgency hereof, to take effect immediately.

By Senators Mayo, Seawell, and Collier—An act to amend Section 1262 of, and to add Section 1263 to, the Military and Veterans' Code, relating to county and city buildings for veterans' associations.

By Senators Seawell, Collier, Mayo, Dillinger, Deuel, and Brown—Relative to a bill pending in the Congress providing for the relief of owners of gold mines affected by Federal regulation.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Joint Resolution No. 14

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following resolution was read:

Assembly Joint Resolution No. 14—Relative to certain bills concerning California Indians, pending in the Congress of the United States.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, February 5, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 100
Senate Bill No. 41

And reports the same correctly engrossed.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, February 5, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 92
Senate Bill No. 94

And reports the same correctly engrossed.

SEAWELL, Chairman

Committee on Transportation

SENATE CHAMBER, SACRAMENTO, February 4, 1946

MR. PRESIDENT: Your Committee on Transportation, to which were referred:

Assembly Bill No. 100
Assembly Bill No. 101
Assembly Bill No. 113
Assembly Bill No. 122

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 11; committee vote: Ayes 6; absent 5.

McCORMACK, Chairman

Above reported bills re-referred to Committee on Finance.

Committee on Public Health and Safety

SENATE CHAMBER, SACRAMENTO, February 5, 1946

MR. PRESIDENT: Your Committee on Public Health and Safety, to which was referred:

Assembly Bill No. 28

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 9; committee vote: Ayes 6; absent 3.

COLLIER, Chairman

Above reported bill re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, February 5, 1946

MR. PRESIDENT: Your Committee on Public Health and Safety, to which were referred:

Assembly Bill No. 36
Assembly Bill No. 59

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 6; absent 3.

COLLIER, Chairman

Above reported bills ordered to second reading.

ADJOURNMENT

At 12.52 p.m., on motion of Senator Seawell, the President declared the Senate adjourned until 10.30 a.m., Wednesday, February 6, 1946, out of respect to the memory of the late Hon. H. L. Ricks.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-SIXTH (FIRST EXTRAORDINARY) SESSION

SENATE DAILY JOURNAL

TWENTY-THIRD LEGISLATIVE DAY
THIRTY-FIRST CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO
Wednesday, February 6, 1946

The Senate met at 10.30 a.m.

Hon. Jerrold L. Seawell, President pro tempore of the Senate, presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Biggar, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Ward, and Weybret—37.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Dr. Clarence A. Kircher.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Fletcher, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Crowell D. Eddy, County Assessor, of San Diego, and Mr. and Mrs. T. F. Mack of Oberlin, Ohio.

On request of Senator Kuchel, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Miss Ethel Rose Taylor, instructor, and the following members of the Class on Government from the Golden Gate School, Oakland: Mrs. Estelle Losson, Mrs. L. F. Osborne, Dr. Oscar Meyer, Mrs. Alma Lehmann, Mrs. Angelina Ferdinand, Mrs. Sara Lozano, Mrs. Mary Skefich, Mrs. Ermelinda Avila, Mrs. G. Salomone, Mrs. Petra Nilssen, Miss Dorothy Silva, Mrs. Victoria Avelar, Mrs. Edvige Nani, Mrs. Mary N. Ferreira, Mrs. Angela Viale, Mrs. Caroline Accomosso, Miss Anna Accomosso, Mrs. Mary Bertolino, Mrs. Hyacinth Agness, Mrs. Mary Meneghetti, Mrs. Lucille Hester, Mrs.

J. G. Green, Mrs. Spiritina Lanza, Mrs. Cora Lovisone, Miss Edna Laumann, Mrs. Helen Celestial, Mrs. Gladys Ibsen, Mrs. Maria C. Rogers, Mrs. Angelina Mapelli, Mrs. D. Zulaica, Mrs. Fermine Borgognone, Mrs. Eliza Comroe, Mrs. Julia Lopez, Mr. A. M. Giacomelli, Mrs. Adelaide Freitas, Mr. Julius Seligstein, Mrs. Rose Perez, and Mrs. Elizabeth Thomas.

On request of Senator Salsman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Prof. William H. Davis, his assistant, Bob Decius, and the following members of the Alpha Delta fraternity, of the Palo Alto High School: Boyd Bentrott, President; Bob Abler, Richard Redeker, James McPherson, Vice President; Don Martin, Secretary; Tom Johnson, Don Patch, Hub. Stokely, Jack Dodds, Don Roberts, Counselor; Al Masters, Buddy Best, Bruce Taft, John Sherwood, Franklin Johnson, and John Cromwell.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 26

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bill was read the first time:

Assembly Bill No. 26—An act making an appropriation to the Division of Fish and Game, Department of Natural Resources, for construction, improvements, repairs and equipment, to take effect immediately.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Financial Institutions

SENATE CHAMBER, SACRAMENTO, February 5, 1946

MR. PRESIDENT: Your Committee on Financial Institutions, to which was referred:

Assembly Bill No. 126

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 7; absent 2.

SUTTON, Vice-Chairman

Above reported bill ordered to second reading.

Committee on Governmental Efficiency

SENATE CHAMBER, SACRAMENTO, February 5, 1946

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which were referred:

Assembly Bill No. 130
Assembly Bill No. 135
Assembly Bill No. 136

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; absent 2.

SWING, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, February 5, 1946

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred:

Assembly Bill No. 147

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 11; committee vote: Ayes 9; absent 2.

SWING, Chairman

Above reported bill ordered to second reading.

Committee on Rules

SENATE CHAMBER, SACRAMENTO, February 5, 1946

MR. PRESIDENT: Your Committee on Rules, to which were referred:

Senate Joint Resolution No. 6

Assembly Joint Resolution No. 14

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 3; absent 2.

SEAWELL, Chairman

Above reported resolutions ordered to third reading.

Committee on Agriculture

SENATE CHAMBER, SACRAMENTO, February 5, 1946

MR. PRESIDENT: Your Committee on Agriculture, to which was referred:

Senate Bill No. 109

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 8; noes 3.

CRITTENDEN, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, February 5, 1946

MR. PRESIDENT: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 79

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended, and be re-referred to Committee on Finance.

Committee membership 11; committee vote: Ayes 8; absent 3.

CRITTENDEN, Chairman

Above reported bill ordered to second reading.

Committee on Rules

SENATE CHAMBER, SACRAMENTO, February 5, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Proposed Senate Bill No. 112

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Revenue and Taxation.

Committee membership 5; committee vote: Ayes 3; absent 2.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, February 5, 1946

MR. PRESIDENT: Your Committee on Rules, to which were referred:

Proposed Senate Bill No. 111

Proposed Senate Bill No. 113

Has had the same under consideration, and finds that same are within the purview of the call, and directs that they be referred to the Committee on Military and Veterans Affairs.

Committee membership 5; committee vote: Ayes 3; absent 2.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, February 6, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Concurrent Resolution No. 14—Relative to the acquisition of certain lands on or near the Colorado River for a State park;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the sixth day of February, 1946, at 10 a.m.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, February 6, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 39—An act to amend Section 5 of an act entitled "An act relating to the determination of the wartime population of cities or cities and counties for purposes of allocation of moneys from the State Highway Fund and from the Motor Vehicle License Fee Fund for expenditures therein, and declaring the urgency thereof," approved May 18, 1943, relating to the time said act remains in effect, and declaring the urgency thereof, to take effect immediately;

And reports that the same has been correctly enrolled, and presented to the Governor on the sixth day of February, 1946, at 10 a.m.

SEAWELL, Chairman

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following bills were introduced, and read the first time:

Senate Bill No. 111: By Senators Collier, Gordon, and Slater—An act making an appropriation to carry out the State Postwar Building Program in respect to the Veterans' Home of California.

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 112: By Senator Desmond—An act to add Section 261 to the Revenue and Taxation Code, relating to the veterans' exemption and the period for which and the manner in which it may be claimed, declaring the urgency hereof, to take effect immediately.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 113: By Senators Mayo, Seawell, and Collier—An act to amend Section 1262 of, and to add Section 1263 to, the Military and Veterans Code, relating to county and city buildings for veterans' associations.

Referred to Committee on Military and Veterans Affairs.

THE FOLLOWING PROPOSED BILLS WERE READ, AND REFERRED TO COMMITTEE ON RULES

By Senator Mixter—An act to amend Section 1262 of the Military and Veterans Code, relating to memorial buildings.

By Senator Dillinger—An act to amend Sections 56 and 65 of the Labor Code, and to add Chapter 1.6 to Division 1 of said code, relating to mediation, conciliation and arbitration of labor disputes, creating the Division of Labor Conciliation and prescribing its powers and duties, defining unfair labor practices and making unlawful certain acts, providing for arbitration and court procedure in labor disputes, making an appropriation therefor.

CONSIDERATION OF DAILY FILE

UNFINISHED BUSINESS

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

SENATE CHAMBER, SACRAMENTO, February 5, 1946

MR. PRESIDENT: The Committee on Conference concerning:

Senate Bill No. 19—An act to add Article 5A, comprising Sections 993 to 994.3 inclusive, to Chapter 6 of Division 4 of the Military and Veterans Code, authorizing the creation of a debt or debts, liability or liabilities, through the issuance and sale of State bonds, for the single object of creating a fund to provide farm and home aid for veterans in accordance with the provisions of the Veterans Farm and Home Purchase Act of 1943; defining the powers and duties of said committee and of the Veterans' Welfare Board and other State officers in respect to the administration of the provisions hereof; providing ways and means, exclusive of loans, for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures; appropriating money for the expense of preparing and of advertising the sale of bonds herein authorized to be issued; and providing for the submission of this act to a vote of the people at the general election to be held in the month of November, 1946;

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in, and that the bill, as amended on January 29, 1946, be further amended as follows:

Amendment No. 1

On page 2, line 5, of the printed bill, as amended, strike out "created by Section 991".

QUINN	McCOLLISTER
KUCHEL	EMLAY
DILWORTH	
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Senators Biggar, Brown, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Fletcher, Gordon, Hatfield, Jespersen, Judah, Keating, Kuchel, Mayo, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Ward, and Weybret—30.

NOES—None.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 129—An act to add Section 11781.5 to the Insurance Code relating to branch offices of the State Compensation Insurance Fund.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "branch offices of", and insert "a branch office for".

Amendment No. 2

On page 1, line 4, of said bill, strike out "branch offices", and insert "a branch office".

Amendments read and adopted.

Bill ordered printed, and to third reading.

Assembly Bill No. 36—An act to amend Section 17704 of, and to add Section 17704.1 to, the Health and Safety Code, relating to apartment houses and hotel buildings.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health and Safety:

Amendment No. 1

On page 1, line 3, of the printed bill, after "17704.", insert "No portion of any apartment house or hotel shall be used as a paint shop, a gasoline or oil service station or store, or a vulcanizing shop."

Amendment No. 2

On page 1 of said bill, strike out lines 6 to 8, inclusive, and insert "Any portion of any apartment house or hotel that is used as a place where liquid paints or other volatile liquid".

Amendment No. 3

On page 1, lines 9 and 10, of said bill, strike out "manufactured", and insert "mixed".

Amendment No. 4

On page 1, line 16, of said bill, strike out the semicolon.

Amendment No. 5

On page 2, line 4, of said bill, strike out "manufactured", and insert "mixed".

Amendment No. 6

On page 2, line 40, of said bill, strike out "manufactured,".

Amendment No. 7

On page 1, line 10, of the printed bill, strike out "sprayed,".

Amendment No. 8

On page 2, line 5, of said bill, strike out "sprayed,".

Amendment No. 9

On page 2, line 40, of said bill, strike out "sprayed,".

Amendments read and adopted.

Bill ordered printed, and to third reading.

Assembly Bill No. 59—An act to amend Section 4711 of the Health and Safety Code, relating to county sanitation districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health and Safety:

Amendment No. 1

In line 2 of the title of the printed bill, after "districts", insert ", declaring the urgency hereof, to take effect immediately".

Amendment No. 2

On page 1, lines 7 and 8, of said bill, strike out "the vote of a majority", and insert "a two thirds vote".

Amendment No. 3

On page 1 of said bill, after line 8, insert

"The district shall not include the whole or any part of any other district formed for similar purposes.

"SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of

Section 1 of Article IV of the Constitution of the State of California and as such shall take effect immediately. The facts constituting such necessity are as follows:

During the war the shortage of manpower and materials has prevented sewer construction and maintenance. The influx of new residents has overburdened existing sewer facilities, and is a serious threat to the public health and created a necessity for new facilities.

This act will facilitate the formation of sanitary districts and thus permit the earlier removal of these risks to public health."

Amendments read and adopted.

Bill ordered printed, and to third reading.

THIRD READING OF SENATE BILLS

Senate Joint Resolution No. 4—Relative to Federal legislation granting terminal furloughs and leaves to enlisted personnel of the armed forces of the United States.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Brown, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Fletcher, Gordon, Hatfield, Jespersen, Keating, Mayo, McCormack, Mixter, Parkman, Quinn, Rich, Salsman, Seawell, Slater, Ward, and Weybret—25.

NOES—None.

Resolution ordered transmitted to the Assembly.

Senate Bill No. 92—An act making an appropriation to the Department of Education to be expended for the performance of the powers and duties of the department relating to veterans, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Jespersen, Keating, Kuchel, Mayo, McCormack, Mixter, Parkman, Quinn, Salsman, Seawell, Slater, Sutton, Ward, and Weybret—27.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 94—An act to amend the title and Section 2 of, and to add Section 1.5 to, an act entitled "An act to provide for refunding or crediting to veterans of World War I certain payments and interest thereon made pursuant to contracts for the purchase of farms and homes under the Veterans Farm and Home Purchase Act and Chapter 3 of Division 4 of the Military and Veterans Code;" approved July 18, 1945, relating to refunding or crediting certain payments and interest made pursuant to contracts for the purchase of farms and homes by veterans.

Bill read third time.

Motion to Amend

Senator Dilworth moved the adoption of the following amendments:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "Section 1.5 to", and insert "Sections 1.5, 10 and 11 to, and to repeal Section 6 of".

Amendment No. 2

Strike out the last line of the title of said bill and insert "farms and homes by veterans, declaring the urgency hereof, to take effect immediately."

Amendment No. 3

On page 2, line 5, of said bill, after "terms", insert "or to modified terms approved by the board".

Amendment No. 4

On page 2 of said bill, strike out lines 22 and 23, and insert
"Refunds to assignees shall be made only to such assignees as are:
(a) Veterans.
(b) Dependents of veterans.
(c) Other assignees to whom assignment was made on or after September 15, 1945."

Amendment No. 5

On page 2 of said bill, strike out lines 28 and 29, and insert "The board may apply any such credit at any time and in".

Amendment No. 6

On page 2 of said bill, after line 32, insert
"SEC. 4. Section 6 of said act is repealed.
SEC. 5. Section 10 is added to said act to read:
Sec. 10. The cost of administering this act shall be paid from the unencumbered balance remaining in the Veterans Farm and Home Building Fund.
SEC. 6. Section 11 is added to said act to read:
Sec. 11. Any unencumbered balance remaining at the expiration of four years from the effective date of this act in the appropriation made in Section 8 of this act shall revert to the Veterans Farm and Home Building Fund.
SEC. 7. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows: The Legislature at the Fifty-sixth Regular Session enacted Chapter 1502 which made an appropriation to refund load charges and interest thereon to veterans on farm and home building contracts. This appropriation became available for expenditure on September 15, 1945, but questions of interpretation of the act and computations required by the act have necessitated postponement of disbursements. It is necessary that this act go into effect immediately in order that further delay may be avoided."

Amendments read and adopted.

Bill ordered printed, re-engrossed, and to third reading.

Senate Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by amending Section 14 of Article I thereof, relating to the rights of private property.

Resolution read.

Motion to Amend

Senator Mayo moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 3, of the printed measure, as amended, after "property", insert "not already appropriated to public use and of any right of way or lands to be used for reservoir purposes,".

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Senators Biggar, Brown, Cunningham, Deuel, Dillinger, Donnelly, Fletcher, Gordon, Hatfield, Jespersen, Mayo, McCormack, Mixter, Powers, Quinn, Salsman, Seawell, Slater, and Sutton—19.

NOES—Senators DeLap, Desmond, Hulse, Judah, Keating, Kuchel, Rich, Swing, Ward, and Weybret—10.

Further Amendments to Senate Constitutional Amendment No. 2

Motion to Amend

Senator Hatfield moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 3, of the printed bill, as amended January 25, 1946, strike out "property", and insert "right of way or lands to be used for reservoir purposes,".

Amendment No. 2

On page 2, line 15, of said bill, strike out the period, and insert "; provided, that in any proceeding in eminent domain brought by the State itself, the State may take immediate possession and use of any property required by it for a public use, in the same manner as herein provided for the taking of immediate possession and use of rights of way or lands to be used for reservoir purposes."

Amendment read.

Amendments Withdrawn

Senator Hatfield withdrew the amendments.

Motion to Re-refer Senate Constitutional Amendment No. 2

Senator Rich moved that Senate Constitutional Amendment No. 2 be amended, to print, and re-referred to Committee on Judiciary.

Motion carried.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was offered:

Senate Joint Resolution No. 7: By Senators Quinn, Biggar, DeLap, Mixter, and Dilworth—Relative to veterans hospital facilities in California.

Request for Unanimous Consent

Senator Quinn asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 7, at this time, for consideration.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 7

Senate Joint Resolution No. 7—Relative to veterans hospital facilities in California.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Brown, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McCormack, Mixter, Parkman, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Ward, and Weybret—34.

NOES—None.

Resolution ordered transmitted to the Assembly.

MOTION TO RE-REFER SENATE BILL NO. 79

Senator Carter moved that Senate Bill No. 79 be re-referred to Committee on Judiciary.

Motion carried.

REQUEST FOR UNANIMOUS CONSENT

Senator Hatfield asked for, and was granted, unanimous consent to have the following statement by the State Controller, regarding unappropriated surplus in the State Treasury, printed in the Journal:

POSTWAR EMPLOYMENT RESERVE

Unappropriated Surplus, January 31, 1946
Compiled in the Office of the State Controller, February 4, 1946

Resources		
Cash in State Treasury		$245,164 65
Investments:		
Bonds at par		145,545,000 00
Accrued interest on bonds purchased		518 04
Total resources		$145,790,682 69
Obligations		
Appropriations in Force January 31, 1946:		
University of California—Chapter 1486/45	$30,000 00	
Department of Public Works—Chapter 20/44 (4th E.S.)	1,753,322 00	
Total Obligations		$1,783,322 00
Surplus		
Unappropriated surplus, January 31, 1946		$144,007,360 69

Schedule 1

Statement of Cash Receipts and Disbursements May 18, 1943 to January 31, 1946

Cash Receipts		
Revenues and transfers—		
General Fund	$75,500,000 00	
Retail sales and use tax—20% of collections from July 1, 1943 to June 30, 1945	57,054,822 97	
Bank & Corporation Franchise Tax 10% of Collections from July 1, 1943 to Dec. 31, 1945	15,832,537 72	
Total revenues and transfers		$148,387,360 69
Bonds redeemed or sold—at par		65,285,000 00
Interest applied to amortize premium and accrued interest on bond purchases		306,002 65
Total cash receipts		$213,978,363 34
Cash Disbursements		
Withdrawals from appropriations—		
Department of Public Works—surveys, preparation of plans for State Construction Program	$1,496,678 00	
University of California—		
Surveys, preparation of plans for University Construction Program	1,100,000 00	
Total expenditures from appropriations		$2,596,678 00
Bond purchases—at par		210,830,000 00
Premium and accrued interest on bonds purchased		306,520 69
Total cash disbursements		$213,733,198 69
Cash balance, January 28, 1945		$245,164 65

POSTWAR UNEMPLOYMENT CONSTRUCTION FUND

Unappropriated Surplus, January 31, 1946

Compiled in the Office of the State Controller February 4, 1946

Resources

Cash in State Treasury		$21 14
Investments:		
Bonds at par	$89,802,000 00	
Premium and accrued interest on bond purchases	197,978 86	89,999,978 86
Interest accrued and uncollected (See Schedule A)		241,486 11
Total resources		$90,241,486 11

Surplus

Unappropriated surplus, January 31, 1946	$90,241,486 11

Schedule A

Interest Accrued and Uncollected, January 31, 1946

Accrued interest on bonds		$461,339 97
Less:		
Interest collected and deposited in fund	$21,875 00	
Unamortized premium and accrued interest on bond purchases	197,978 86	219,853 86
Interest accrued and uncollected		$241,486 11

Interest on bonds held will accrue to this fund on and after February 1, 1946, at the rate of approximately $77,000 each month.

GENERAL FUND

Estimated General Fund Unappropriated Surplus as of June 30, 1947

Compiled in the Office of the State Controller February 4, 1946

Unappropriated surplus at June 30, 1945 (See Schedule I)		$138,867,599 00
Add:		
Estimated revenues for 1945-1947 Biennium (See Schedule II)		638,975,000 00
		$777,842,599 00
Deduct:		
Authorized expenditures for 1945-47 Biennium (See Schedule III)	$567,548,352 00	
Deduct:		
Transfers to Reserve Funds (See Schedule IV)	77,151,490 00	644,699,842 00
Estimated unappropriated surplus at June 30, 1947		$133,142,757 00

Schedule I

General Fund—Unappropriated Surplus, June 30, 1945

Resources

Cash in State Treasury—		
In General Fund	$15,478,764 03	
In Revenue "Feeder" Funds	46,024 10	$15,524,788 13
Due from other funds		453,584 73
Investments—		
Bonds at par	126,757,000 00	
Accrued interest purchased	17,080 80	126,774,080 80
Total resources		$142,752,453 66

	Obligations	
Appropriations in force June 30, 1945	$46,220,732 58	
Less:		
Amounts to be expended in subsequent years; carried forward to Schedule III; See Schedule VIII	24,606,352 42	
	$21,614,380 16	
Less:		
Estimated reversions of unencumbered balances	17,820,850 00	$3,793,530 16
Accrued fixed charges		91,324 64
Total obligations		$3,884,854 80
	Surplus	
Estimated unappropriated surplus, June 30, 1945		$138,867,598 86

Schedule II

General Fund—Estimated Revenues, July 1, 1945, to June 30, 1947

Tax Source	*97th Fiscal Year*	*98th Fiscal Year*	*Biennial Total*
Retail sales and use taxes	$165,000,000 00	$160,000,000 00	$325,000,000 00
Bank and corporation franchise and corporation income taxes	50,000,000 00	45,000,000 00	95,000,000 00
Personal income taxes	40,000,000 00	35,000,000 00	75,000,000 00
Liquor taxes and licenses	22,900,000 00	21,800,000 00	44,700,000 00
Inheritance taxes	10,000,000 00	10,000,000 00	20,000,000 00
Insurance companies taxes	13,500,000 00	13,500,000 00	27,000,000 00
Motor vehicle license fees	5,500,000 00	5,900,000 00	11,400,000 00
Motor vehicle transportation tax	6,000,000 00	6,000,000 00	12,000,000 00
Gift tax	600,000 00	600,000 00	1,200,000 00
Private car tax	575,000 00	500,000 00	1,075,000 00
Sundry other revenue	13,600,000 00	13,000,000 00	26,600,000 00
Totals	$327,675,000 00	$311,300,000 00	$638,975,000 00

Schedule III

General Fund—Authorized Expenditures, 1945-1947 Biennium

Authorized by	*Governor's Budget as Amended by Legislature*	*Special Appropriation by 1945 Legislature*	*Total*
Budget Bill—Chapter 644/45	$167,053,000 00		$167,053,000 00
Recurrent appropriations to University of California and for vocational rehabilitation	1,154,000 00		1,154,000 00
Fixed charges—See Schedules V and VI	328,110,000 00	$8,035,000 00	336,145,000 00
Special appropriations—See Schedule VII		39,793,000 00	39,793,000 00
Appropriations in force on June 30, 1945, which by their provisions are available for expenditure subsequent to June 30, 1945—See Schedule VIII	24,606,352 00	–0–	24,606,352 00
	$520,923,352 00	$47,828,000 00	$568,751,352 00
Less:			
Pro-rata fiscal services to be collected from Special Fund agencies	1,203,000 00	–0–	1,203,000 00
	$519,720,352 00	$47,828,000 00	$567,548,352 00

Schedule IV

General Fund—Special Appropriation Bills Authorizing Transfers to Reserve Funds, 1945-1947 Biennium

Chap. No.	*Purpose*	*Amount*
1492	Bond Sinking Fund of 1943—interest and redemption on certain outstanding bonds	$11,651,490 00
647	Postwar Employment and Construction Fund	90,000,000 00
1446	Postwar Employment Reserve	500,000 00
		$102,151,490 00
	Deduct:	
1407	Reversion of War Catastrophe Reserve to General Fund	−25,000,000 00
		$77,151,490 00

Schedule V

General Fund—Estimated Fixed Charges—Governor's Budget 1945-1947 Biennium

	97th Fiscal Year	*98th Fiscal Year*	*Total*
Public schools:			
Elementary schools	$64,544,000 00	$69,907,000 00	$134,451,000 00
High schools	29,310,000 00	34,219,000 00	63,529,000 00
Junior colleges	293,000 00	1,623,000 00	1,916,000 00
Vocational education	357,000 00	357,000 00	714,000 00
Social Welfare:			
Aid to needy aged	49,054,000 00	56,486,000 00	105,540,000 00
Aid to needy blind	1,071,000 00	1,225,000 00	2,296,000 00
Aid to needy children	4,232,000 00	6,074,000 00	10,306,000 00
Interest and redemption on State bonds	2,976,000 00	2,899,000 00	5,875,000 00
Employees retirement contributions:			
State employees	1,620,000 00	1,735,000 00	3,355,000 00
Judges	54,000 00	54,000 00	108,000 00
Interest on revenue refunds	10,000 00	10,000 00	20,000 00
	$153,521,000 00	$174,589,000 00	$328,110,000 00

Schedule VI

General Fund—Special Appropriation Bills Increasing Fixed Charge Requirements, 1945-1947 Biennium

	Total for biennium
Public schools:	
Elementary schools—Chapters 678 and 1243	$3,099,000 00
High schools—Chapters 92 and 1400	485,000 00
Social Welfare:	
Aid to needy aged—Chapters 586 and 731	589,000 00
Aid to needy blind—Chapters 1346, 1350, 483, and 1264	826,000 00
Employee retirement contributions:	
State employees—Chapters 1201, 1173, and 1283	3,010,000 00
Judges	26,000 00
	$8,035,000 00

Schedule VII

General Fund—Special Appropriations, 1945-1947 Biennium

Chapter Number	Purpose	Amount
938	Public Works—Construction of county highways	$6,000,000 00
952	Public Works—Construction of county highways	6,000,000 00
1024	California Disaster Act—Expenses	107,528 00
1046	Education—Dispose of Federal surplus educational property	25,000 00
1075	Education—Supervision of child care centers	40,000 00
1161	Industrial Relations—Compensation for subsequent injuries	200,000 00
1173	Transfers support of Division of Fire Safety to General Fund; Abolishes Fire Marshal's Fund	167,600 00
1197	Agriculture—Expenses of meat and slaughter house inspection	450,000 00
1210	Public Health—Expenses, walnut shelling inspection	4,355 00
1211	Public Health—Expenses, clinic and dispensary, and aviary inspection	9,486 00
1273	Commission on school districts—Support	100,000 00
1283	Transfers support of State College summer sessions to General Fund; cost estimated by Department of Finance at	124,545 00
1315	Sale of property at Fred C. Nelles School with acquisition of new site from proceeds of sale; estimated by Department of Finance at	200,000 00
1364	Finance—Emergency Fund for salary increases of certain officers	4,680 00
1403	Finance—Expenses in distributing State publications	46,830 00
1404	Finance—Acquisition of real property for Chico State College	26,000 00
1405	Forestry—Surveys of forestry lands	40,000 00
1406	Reconstruction and Reemployment Commission—Acquire publications	15,000 00
1408	Senate—Contingent expenses	200,000 00
1412	Finance—Create historical dioramas of Sutter's Fort	1,500 00
1413	Finance—Acquisition of real property for construction of State Building in Alameda County	250,000 00
1414	Finance—Acquisition of real property for construction of State Building in Fresno	250,000 00
1415	Agriculture—Predatory animal control	150,000 00
1416	University of California—Institute of Industrial Relations	100,000 00
1418	Public Health—Regulation of public and private hospitals	44,000 00
1419	Secretary of State—Publication of State Roster	3,000 00
1420	Forestry—Land clearance	40,000 00
1422	Beaches and Parks—Acquisition of beach and park areas	15,000,000 00
1424	Public Works—Expenses of topographic mapping of State	300,000 00
1425	Finance—Acquisition of real property for Langley-Porter Clinic	20,000 00
1426	Finance—Acquisition of real property in City of Los Angeles for Psychiatric Hospital Clinic	100,000 00
1427	Finance—Care of mentally deficient patients paroled to private homes	207,000 00
1429	Refund of student fees	10,000 00
1430	Industrial Relations—Apprenticeship training	65,000 00
1431	Industrial Relations—Additional support	110,000 00
1433	Finance—Acquisition of real property for Department of Public Health	200,000 00
1434	Finance—Additional capital for Purchasing Revolving Fund	100,000 00
1435	Finance—Expenses, procuring surplus war property	150,000 00
1436	Justice—Additional teletype service	10,256 76
1437	Governor—Expenses, Western Governors' Conference	10,000 00
1440	Education—Expenses, Aviation Education Program	216,000 00
1442	Assembly—Contingent expenses	200,000 00
1444	Finance—Emergency Fund for Supreme and appellate courts	100,800 00
1445	Justice—Additional teletype service	26,357 68
1447	Public Health—Increased subsidy to tuberculosis sanitaria	1,800,000 00
1448	Agriculture—Indemnities for bovine tuberculosis	50,000 00
1450	Professional and Vocational Standards—Support	195,000 00
1451	Treasurer—Expenses preparing bonds under Veterans' Bond Act; $35,000 to be refunded from proceeds of bonds sold	
1454	Corrections—Establishment of California Vocational Institution	1,200,000 00
1458	Justice—Enforcement of Alien Land Law	200,000 00
1459	Finance—Emergency Fund for restoration of property damaged by storms or floods	500,000 00
1460	Institutions—Acquisition of real property for Stockton State Hospital	45,000 00
1463	Finance—Acquisition of real property for San Jose State College	15,175 00
1464	Forestry—Acquisition of real property, Latour Forest	100,000 00

Chapter Number	Purpose	Amount
1465	Public Health—Expenses, Clinical Laboratory Inspection	12,214 00
1466	Finance—Acquisition of real property for Fresno State College	45,000 00
1467	Finance—Purchase of Margaret S. Kelly historical relics	4,500 00
1472	Superior Courts—Additional judges' salaries	346,000 00
1473	Agriculture—Expenses, Omphalia root rot	20,480 00
1475	Home for Adult Blind—Increase in Revolving Fund	50,000 00
1476	Education—Additional support	388,680 00
1477	Education—Maintenance of State cerebral palsy schools	280,000 00
1480	University of California—Research on diseases of plants and animals	213,900 00
1481	Veterans Commission—Support	60,000 00
1483	Soil Conservation Commission—Expenses	17,500 00
1484	Youth Authority—Aid for county juvenile homes and camps	800,000 00
1487	Water Resources Board—Support	75,000 00
1493	Veterans' Welfare Board—Expenses of county service officers	500,000 00
1496	Forestry—Acquisition of Mountain Home tract	600,000 00
1516	Education—Maintenance of State cerebral centers	154,000 00
1519	Education—Construction of cerebral palsy schools	400,000 00
1520	Public Health—Services to physically handicapped children suffering from cerebral palsy	80,000 00
1521	Education—Physically handicapped minors in public schools and cerebral palsy schools	40,000 00
1526	University of California—Expenses for College of Agriculture	124,400 00
1527	Omnibus Claim Bill	51,700 71
	Total	$39,793,488 15

Schedule VIII

General Fund—Appropriations in Force on June 30, 1945, Available for Expenditure During 1945-1947 Biennium

Chapter No.	Purpose	Amount
1/44—4 E.S.	Agriculture—Control of Oriental fruit moth	$361,948 85
805/43	Civilian Defense Aid—Aid to cities and counties for defense purposes	1,527,758 86
9/45	Colorado River Board—Support	25,000 00
47/44—4 E.S.	Controller—Support, postwar plans and sites	50,000 00
1053/45	Farm Production Council—Expenses	1,010,203 44
1208/41	Finance—Construction of water system in Napa County	1,369,637 25
606/43	Finance—Payment of portion of State debt	2,357,250 00
5/44—4 E.S.	Finance—Acquisition of real property—Industrial Workshop for Blind, City of Los Angeles	9,052 50
22/44—4 E.S.	Finance—Acquisition of real property—State buildings in Sacramento	986,994 93
23/44—4 E.S.	Finance—Acquisition of real property—State Office Building in City of Los Angeles	844,000 00
24/44—4 E.S.	Finance—Acquisition of real property—San Jose State College	696,913 75
25/44—4 E.S.	Finance—Acquisition of real property—State Office Building in City and County of San Francisco	447,286 75
26/44—4 E.S.	Finance—Acquisition of real property—State Mental Hospital	400,000 00
27/44—4 E.S.	Finance—Acquisition of real property—State Maximum Security Institution	400,000 00
28/44—4 E.S.	Finance—Acquisition of real property—Institution for Epileptics	299,497 65
29/44—4 E.S.	Finance—Acquisition of real property—Fresno State College	272,641 15
30/44—4 E.S.	Finance—Acquisition of real property—State garage in Sacramento	149,013 87
3/44—4 E.S.	Finance—Acquisition of real property—Governor's residence in Sacramento	99,238 52
32/44—4 E.S.	Finance—Acquisition of real property—San Francisco State College	49,650 00
47/44—4 E.S.	Finance—Preparation of plans and acquisition of sites for Postwar Public Works Program	9,875,000 00
47/44—4 E.S.	Finance—Support	73,068 81
929/45	Finance—Aid to San Bernardino County Flood Control District	239,700 00

Chapter No.	*Purpose*	*Amount*
62/43	Legislature—Printing and binding—56th Session	96,780 52
62/43	Assembly—Pay officers and clerks—56th Session	2,750 20
62/43	Assembly—Contingent expenses	6,413 96
6/45	Assembly—Mileage	5,017 60
7/45	Assembly—Expenses—56th Session	14,370 00
172/45	Assembly—Expenses—56th Session	178,567 17
62/43	Senate—Contingent expenses	6,816 53
1/45	Senate—Mileage	2,859 90
2/45	Senate—Contingent expenses	10,600 00
29/45	Senate—Contingent expenses	61,551 93
1088/43 and 1462/45	Mental Hygiene—Acquisition of real property—Agnews State Hospital	74,851 00
1075/43	Natural Resources—Beach at City of Redondo Beach	30,000 00
44/43	Public Works—Support	14,221 46
585/43	Treasurer—Expenses for Veterans' Welfare bonds	35,000 00
1081/43	University of California—Engineering instruction	288,451 76
7/44—4 E.S.	University of California—Acquisition of real property in Santa Barbara	1,000 00
28/44—4 E.S.	University of California—Construction, improvements and equipment	1,967,300 56
627/43	Veterans Welfare Board—Veterans' education	244,472 86
1046/43	Veterans Welfare Board—Administrative expenses	21,470 64
	Total	$24,606,352 42

REQUEST FOR UNANIMOUS CONSENT

Senator Rich asked for, and was granted, unanimous consent to have the following statement by the Legislative Auditor regarding the financial status of the State printed in the Journal:

FINANCIAL STATUS OF THE STATE

(Prepared by the Legislative Auditor for the Budget Committee for the Information of the Legislature.)

January 30, 1946

In answer to the many inquiries as to the changing financial condition of the State resulting from the approval of appropriation bills by the Finance Committee of the Senate and Ways and Means Committee of the Assembly and subsequent action thereon, this analysis has been prepared beginning with the introduction of bills and is carried forward currently as rapidly as bills are considered by either of these committees.

Explanation of the accumulation of revenues for the Postwar Employment Reserve into the two funds and the condition as of January 7, 1946, is included.

Accumulation of Revenue for the Postwar Employment Reserve and the Postwar Unemployment and Construction Fund

A. Postwar Employment Reserve—	*Amount*
Revenue derived from—	
Retail sales and use tax July 1, 1943-June 30, 1945	$54,054,822 97
Bank and corporation franchise and corporation income taxes, July 1, 1943-December 31, 1945	15,832,537 72
General Fund (Transferred by Chap. 19: Stat. 1944-4th Ex.)	50,000,000 00
General Fund (Transferred by Chap. 41: Stat. 1944-4th Ex.)	25,000,000 00
General Fund (Transferred by Chap. 1446: Stat. 1945)	500,000 00
Total resources	$148,387,360 69
Less: Appropriations for plans and specifications:	
* State Division of Architecture (Chap. 572: Stat. 1943)	$1,250,000 00
* State Division of Architecture (Chap. 20: Stat. 1944-4th Ex.)	2,000,000 00
University of California (Chap. 21: Stat. 1944-4th Ex.)	1,000,000 00
University of California (Chap. 1486: Stat. 1945)	30,000 00
Total appropriations	** $4,380,000 00
	$144,007,360 69
	* 1,753,322 00
Net total resources	$145,760,682 00

* Unallocated.

** Of this amount only $2,596,678 had been expended January 7, 1946.

B. Postwar Unemployment and Construction Fund—

Revenue derived from—
General Fund (Transferred by Chap. 647: Stat. 1945) $90,000,000 00

Total in both Postwar Funds as of January 7, 1946 ..... $235,760,682 00

Of this amount $1,753,322 has already been appropriated to the State Division of Architecture but is as yet unallocated. The net available for appropriation is $144,700,360.69.

Financial Status of the State
(To be amended as appropriation bills pass from the Finance Committee of the Senate.)

Financial Condition of the State at the Convening of the Extraordinary Session of the Legislature, January 7, 1946—

(1) Postwar Building Reserves—		
(a) Postwar Employment Reserve Fund	$145,000,000 00	
(b) Postwar Unemployment and Construction Fund	90,000,000 00	
(2) Estimated surplus in General Fund as of January 30, 1947, with reversions	30,000,000 00	
Total		$265,000,000 00

Non-Duplicating Appropriation Bills as Introduced as of January 30, 1946—

Net appropriation bills introduced as of January 30, 1946, in the special session from the Postwar Construction Reserves and General Fund, where the amount is specified and eliminating duplications	$435,257,742 00	
Total above estimate in these funds	265,000,000 00	
Excess of appropriations over available funds		$170,257,742 00

Besides these appropriation bills there are bills making appropriations of special funds in excess of $110,000,000.

Senate appropriation bills from Construction Reserves and General Fund where amounts are shown totaled $278,325,690. Assembly bills from the same funds total $386,173,114. Duplication amounts total $254,642,500.

Senate Finance Committee Recommends for Appropriation from Postwar Building Reserves and General Fund as of January 30, 1946—

(1) Postwar Building Reserves—		
(a) Postwar Employment Reserve Fund	$145,000,000 00	
Appropriated	25,000,000 00	
		$120,000,000 00
(b) Postwar Unemployment and Construction Fund	$90,000,000 00	
Appropriated	180,400,000 00	
		$90,400,000 00
Balance in both funds		$29,600,000 00
(2) Estimated surplus in General Fund as January 30, 1947	$30,000,000 00	
Appropriated by the bills approved by the Senate Finance Committee as of January 30, 1946	30,750,902 00	
Deficit		$750,902 00

Appropriation Bills Recommended "Do Pass" by the Senate Finance Committee as of January 21, 1946—

(Unless Otherwise Indicated, Is From General Fund)

S.B. 1—Expenses of Senate $100,000 00
January 16—To Governor
January 26—Approved by Governor

S.B. 31—Rector Canyon Dam	300,000 00
January 16—From Senate Finance Committee	
January 21—In Assembly	
Appropriation Bills Recommended "Do Pass" by the Senate Finance Committee as of January 23, 1946—	
(Unless Otherwise Indicated, Is From General Fund)	
S.B. 3—Temporary mental hospital	$1,650,000 00
S.B. 5—Land for State forests	2,000,000 00
January 28—In Assembly	
S.B. 2—Construction of highways	
January 28—In Assembly	
S.B. 21—Veterans' education	750,000 00
January 28—In Assembly	
S.B. 24—Department of Finance, surplus property for veterans housing	250,000 00
January 28—In Assembly	
S.B. 27—Women's dormitory, Veterans' Home	300,000 00
January 28—In Assembly	
S.B. 45—Child care centers	3,500,000 00
January 30—In Assembly	
S.B. 65—Out-patient clinics	134,080 00
January 30—Dropped from files by Senate Finance Committee upon reconsideration	
A.B. 16—Personnel Board	249,152 00
A.B. 17—Department of Finance, capital outlay	260,000 00
A.B. 35—UCLA Medical Center	7,000,000 00
A.B. 61—UC Hospital at San Francisco	4,000,000 00
Appropriation Bills Recommended "Do Pass" by the Senate Finance Committee as of January 30, 1946—	
(Unless Otherwise Indicated, Is From General Fund)	
S.B. 32—Inspection of boarding homes	$56,250 00
S.B. 33—Inspection of child care homes	384,750 00
S.B. 41—Flood control	32,046,000 00
($25,000,000 out of Postwar Employment Reserve Fund and $7,046,000 out of General Fund)	
S.B. 49—Agricultural research	2,300,000 00
(Introduced and amended in Senate January 24 from $2,000,000 to $2,300,000—$300,000 for Melloland Field Station, Imperial County)	
S.B. 60—Veterans' education—vocational	75,000 00
S.B. 70—Hiking trails	300,000 00
S.B. 83—School Emergency Fund	2,000,000 00
S.B. 85—Department of Education—surplus property	54,750 00
S.B. 90—Cities and counties from Postwar Employment and Construction Fund	90,400,000 00
A.B. 15—Industrial Relations—Apprenticeship training	157,000 00
A.B. 60—To cities and counties from Postwar Employment and Construction Fund	90,000,000 00
Appropriations From Special Funds Approved by Senate Finance Committee as of January 21, 1946—	
A.B. 2—State Lands Act Funds—To Department of Justice	$100,000 00
January 18—From Senate to Assembly	
January 22—To Governor	
Appropriation Bills That Have Passed Both Houses as of January 30, 1946—	
A.B. 1—Expenses of the Assembly	$200,000 00
January 14—To Governor	
January 25—Approved by Governor	
S.B. 1—Expenses of Senate	100,000 00
January 16—To Governor	
January 26—Approved by Governor	
A.B. 2—State Lands Act Funds—To Department of Justice	100,000 00
January 22—To Governor	
Appropriation Bills That Have Been Dropped From the File by Senate Finance Committee as of January 30, 1946—	
S.B. 65—Out-patient clinics	$134,080 00

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

SENATE CHAMBER, SACRAMENTO, February 5, 1946

MR. PRESIDENT: The Committee on Conference concerning:

Assembly Bill No. 27—An act to add Section 2206 to the Health and Safety Code, relating to mosquito abatement districts, and declaring the urgency of this act, to take effect immediately;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill, as amended on January 30, 1946, be further amended as follows:

Amendment No. 1

On page 1, line 15, of the printed bill, as amended, strike out "infested", and insert "infected".

RICH
DEUEL
HATFIELD
Senate Committee on Conference

KING
THOMPSON
Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Senators Brown, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Ward, and Weybret—34.
NOES—None.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 56—An act to amend Section 13204.1 of the Education Code, relating to certificated employees of school districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Senator Jespersen moved the adoption of the following amendments:

Amendment No. 1

On page 1 of the printed bill, as amended, after line 23, insert

"The dismissal of any probationary employee because of reduced attendance due to war conditions, after his entry into the active military service or service in the American Red Cross, shall not deprive him of any of the benefits of this section."

Amendment No. 2

On page 2, line 1, of said bill, strike out "90 days", and insert "six months".

Amendments read and adopted.

Bill ordered printed, and to third reading.

Assembly Joint Resolution No. 11—Relative to the establishment of foreign trade zones in California.

Resolution read, and presented by Senator Shelley.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Brown, Carter, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Swing, Ward, and Weybret—32.
NOES—None.

Resolution ordered transmitted to the Assembly.

Assembly Bill No. 139—An act to add Section 66d to the Code of Civil Procedure, relating to the number of judges of the Superior Court in the County of Ventura.

Bill read third time, and presented by Senator Ward.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Carter, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Seawell, Shelley, Slater, Swing, Ward, and Weybret—32.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 125—An act to amend Section 19398 of the Government Code, relating to veterans' rights in promotional examinations.

Bill read third time, and presented by Senator Quinn.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Burns, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McCormack, Mixter, Parkman, Powers, Quinn, Seawell, Shelley, Slater, Swing, Ward, and Weybret—32.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 85—An act to add Section 159 to the Revenue and Taxation Code, relating to property taxes of persons in the armed forces of the United States, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Quinn.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Biggar, Crittenden, Cunningham, DeLap, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Seawell, Slater, Swing, Ward, and Weybret—27.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Ward, and Weybret—29.
NOES—None.

Bill ordered transmitted to the Assembly.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 27—An act to add Section 2206 to the Health and Safety Code, relating to mosquito abatement districts, and declaring the urgency of this act, to take effect immediately.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By HAROLD F. LEWRIGHT, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 19—An act to add Article 5A, comprising Sections 993 to 994.3 inclusive, to Chapter 6 of Division 4 of the Military and Veterans Code, authorizing the creation of a debt or debts, liability or liabilities, through the issuance and sale of State bonds, for the single object of creating a fund to provide farm and home aid for veterans in accordance with the provisions of the Veteran Farm and Home Purchase Act of 1943; defining the powers and duties of said committee and of the Veterans' Welfare Board and other State officers in respect to the administration of the provisions hereof; providing ways and means, exclusive of loans, for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures; appropriating money for the expense of preparing and of advertising the sale of bonds herein authorized to be issued; and providing for the submission of this act to a vote of the people at the general election to be held in the month of November, 1946.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By HAROLD F. LEWRIGHT, Assistant Clerk

Senate Bill No. 19 ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committee on Institutions

SENATE CHAMBER, SACRAMENTO, February 5, 1946

MR. PRESIDENT: Your Committee on Institutions, to which was referred:

Senate Bill No. 99

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 7; absent 2.

DORSEY, Vice-Chairman

Above reported bill ordered to second reading.

ADJOURNMENT

At 12.08 p.m., on motion of Senator DeLap, the President declared the Senate adjourned until 10.30 a.m., Thursday, February 7, 1946.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-SIXTH (FIRST EXTRAORDINARY) SESSION

SENATE DAILY JOURNAL

TWENTY-FOURTH LEGISLATIVE DAY
THIRTY-SECOND CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO
Thursday, February 7, 1946

The Senate met at 10.30 a.m.
Hon. Frederick F. Houser, President of the Senate, presiding.
Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Slater, Sutton, Swing, Ward, and Weybret—33.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Dr. Clarence A. Kircher.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Dorsey, on motion of Senator Cunningham, due to illness.

Senator Biggar, on motion of Senator Powers, due to legislative business.

Senator Carter, on motion of Senator Powers, due to legislative business.

Senator Shelley, on motion of Senator Powers, due to legislative business.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Nancy Adams of Sacramento and Miss Agnes Wilson of San Francisco.

On request of Senators Mixter and Kuchel, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Commander Emmett H. Mishler, USNR, and Lt. Commander Hiram W. Johnson III, USNR, of San Francisco.

On request of Senators Mixter and Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. G. S. Van Noy of Sacramento.

On request of Senator DeLap, the privilege of the floor of the Senate Chamber for this day was unanimously extended to George Cardinale of Pittsburg and John Costonya, Antone Pellegrini, Salvador Bellecci, and Claude Greesty of Martinez.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 128

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 26
Assembly Joint Resolution No. 15

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

Assembly Bill No. 128—An act providing for a new women's prison, making an appropriation for the acquisition of real property for a site therefor, and authorizing the Department of Corrections to construct and equip such prison.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 26—Relative to the creation of a Joint Interim Committee on Aviation.

Referred to Committee on Rules.

Assembly Joint Resolution No. 15—Relative to migratory birds and the open season for the taking thereof.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, February 6, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Proposed Senate Bill No. 115

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Labor.

Committee membership 5; committee vote: Ayes 3; absent 2.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, February 6, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Proposed Senate Bill No. 114

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Military and Veterans Affairs.

Committee membership 5; committee vote: Ayes 3; absent 2.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, February 6, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Assembly Bill No. 26

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Fish and Game.

Committee membership 5; committee vote: Ayes 3; absent 2.

SEAWELL, Chairman

Above reported bill re-referred to Committee on Fish and Game.

Committee on Finance

SENATE CHAMBER, SACRAMENTO, February 6, 1946

MR. PRESIDENT: Your Committee on Finance, to which were referred:

Senate Bill No. 14	Assembly Bill No. 47
Senate Bill No. 84	Assembly Bill No. 52
Senate Bill No. 89	Assembly Bill No. 88
Senate Bill No. 102	Assembly Bill No. 104
Senate Bill No. 103	

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 11; committee vote: Ayes 9; absent 2.

RICH, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, February 6, 1946

MR. PRESIDENT: Your Committee on Finance, to which were referred:

Senate Bill No. 76	Assembly Bill No. 62
Senate Bill No. 77	Assembly Bill No. 95
Senate Bill No. 87	Assembly Bill No. 100
Senate Bill No. 98	Assembly Bill No. 101
Senate Bill No. 106	Assembly Bill No. 102
Assembly Bill No. 28	Assembly Bill No. 106
Assembly Bill No. 41	Assembly Bill No. 113
Assembly Bill No. 42	Assembly Bill No. 122

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; absent 2.

RICH, Chairman

Above reported bills ordered to second reading.

Committee on Social Welfare

SENATE CHAMBER, SACRAMENTO, February 6, 1946

MR. PRESIDENT: Your Committee on Social Welfare, to which was referred:

Assembly Bill No. 94

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 8; absent 3.

MAYO, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, February 6, 1946

MR. PRESIDENT: Your Committee on Social Welfare, to which was referred:

Assembly Joint Resolution No. 8

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 11; committee vote: Ayes 8; absent 3.

MAYO, Chairman

Above reported resolution ordered to third reading.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following bills were introduced, and read the first time:

Senate Bill No. 114: By Senator Mixter—An act to amend Section 1262 of the Military and Veterans Code, relating to memorial buildings.

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 115: By Senator Dillinger—An act to amend Sections 56 and 65 of the Labor Code, and to add Chapter 1.6 to Division 1 of said code, relating to the mediation, conciliation and arbitration of labor disputes, creating the Division of Labor Conciliation and prescribing its powers and duties, defining unfair labor practices and making unlawful certain acts, providing for arbitration and court procedure in labor disputes, making an appropriation therefor.

Referred to Committee on Labor.

RESOLUTIONS

The following resolution was offered:

By Senator Seawell:

Senate Resolution No. 26

Relative to augmenting the funds of the Senate Committee on Governmental Reorganization

Resolved by the Senate of the State of California, That in addition to any money heretofore made available, the sum of two thousand five hundred dollars ($2,500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the Senate Committee on Governmental Reorganization (created by Senate Resolution No. 142, adopted June 16, 1945) and its members and for any charges, expenses, or claims it may incur under said resolution, to be paid from the Contingent Fund of the Senate and disbursed after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to Committee on Rules.

CONSIDERATION OF DAILY FILE

SECOND READING OF SENATE BILLS

Senate Bill No. 109—An act to add Section 451.5 to the Agricultural Code, relating to new milk products developed through research in the uses of milk and the products and by-products thereof, providing for effectuating and insuring such research by authorizing the production and marketing of products newly discovered or developed, declaring the urgency of this act, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 99—An act amending Section 6101 of the Penal Code, relating to the acquisition of a site for the Medical Facility of the Department of Corrections.

Bill read second time, ordered engrossed, and to third reading.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 126—An act to amend Section 67.2 and Section 80.2 of Bank Act relating to loans guaranteed in whole or in part pursuant to the Servicemen's Readjustment Act of 1944.

Bill read second time, and ordered to third reading.

Assembly Bill No. 130—An act to add Sections 18977 and 19176 to the Government Code, relating to veterans' civil service status.

Bill read second time, and ordered to third reading.

Assembly Bill No. 135—An act to add Section 18974.5 to the Government Code, relating to veterans' preference in State civil service.

Bill read second time, and ordered to third reading.

Assembly Bill No. 136—An act to amend Section 20303 of the Government Code, relating to membership in the State Employees' Retirement System.

Bill read second time, and ordered to third reading.

Assembly Bill No. 147—An act to provide for increased services by the California Highway Patrol by permitting payment of salaries of reinstated Highway Patrolmen out of the appropriation made for support of the California Highway Patrol by the Budget Act of 1945 and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency:

Amendment No. 1

On page 1, line 7, of the printed bill, as amended, after "Code.", insert "Each such employee shall be required to pass the same physical tests as are required by law or rule of the board as a prerequisite to original appointment to the position to which the employee is reinstated."

Amendment read and adopted.

Bill ordered printed, and to third reading.

Assembly Bill No. 79—An act providing for research and its adaptation to the production, processing, distribution and utilization of agricultural products grown in the State of California and making an appropriation therefor, declaring the urgency of this act, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "two million dollars ($2,000,000)", and insert "two million three hundred thousand dollars ($2,300,000)".

Amendment No. 2

On page 1, lines 5 and 6, of said bill, strike out "during the Ninety-seventh and Ninety-eighth Fiscal Years".

Amendment No. 3

On page 1, line 12, of said bill, after the period, insert "Of the sum of money hereby appropriated, 87 per cent is expendable only during the Ninety-seventh and Ninety-eighth Fiscal Years; 13 per cent, if and when expended, is available for expenditure without regard to fiscal years, exempt from the provisions of Section 16304 of the Government Code, and for no purpose other than the acquisition or construction of land, buildings and equipment for expansion of the agricultural research facilities of the University Meloland Field Station in Imperial County."

Amendments read and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 129—An act to add Section 11781.5 to the Insurance Code relating to branch offices of the State Compensation Insurance Fund.

Bill read third time, and presented by Senator Swing.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Collier, Crittenden, Cunningham, Deuel, Dillinger, Dilworth, Donnelly, Fletcher, Gordon, Hatfield, Jespersen, Judah, Keating, Kuchel, Mayo, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Ward, and Weybret—28.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 56—An act to amend Section 13204.1 of the Education Code, relating to certificated employees of school districts, declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Jespersen.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Brown, Collier, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Fletcher, Gordon, Hatfield, Jespersen, Judah, Keating, Mayo, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Ward, and Weybret—28.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Fletcher, Gordon, Hatfield, Jespersen, Judah, Keating, Mayo, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Ward, and Weybret—27.

NOES—None.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, February 7, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 50—An act to amend Sections 820 and 987 of the Military and Veterans Code, relating to the rate of interest on veteran farm and home loans, declaring the urgency thereof, to take effect immediately;

And reports that the same has been correctly enrolled, and presented to the Governor on the seventh day of February, 1946, at 11 a.m.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, February 7, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 94
Senate Joint Resolution No. 6
Senate Joint Resolution No. 7

And reports the same correctly engrossed.

SEAWELL, Chairman

Committee on Education

SENATE CHAMBER, SACRAMENTO, February 7, 1946

MR. PRESIDENT: Your Committee on Education, to which was referred:

Assembly Bill No. 48

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 6; absent 3.

SLATER, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, February 7, 1946

MR. PRESIDENT: Your Committee on Education, to which was referred:

Assembly Bill No. 7

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 6; absent 3.

SLATER, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, February 7, 1946

MR. PRESIDENT: Your Committee on Education, to which was referred:

Assembly Bill No. 138

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 9; committee vote: Ayes 6; absent 3.

SLATER, Chairman

Above reported bill re-referred to Committee on Finance.

THE FOLLOWING PROPOSED BILLS WERE READ, AND REFERRED TO COMMITTEE ON RULES

By Senators Cunningham, Hatfield, Mixter, Deuel, Donnelly, Crittenden, Sutton, McCormack, Brown, Collier, and Dorsey—An act making an appropriation for public works to facilitate the making of snow surveys.

By Senators Quinn, Mixter, and Dilworth—An act making an appropriation to the Veterans' Home of California to carry out the State's Postwar Building Program in respect to that State agency.

By Senator Collier—Relative to the Joint Fact-Finding Committee on Highways, Streets and Bridges.

By Senator Gordon—An act making an appropriation to the Department of Public Works, Division of Water Resources, for repair and restoration of a bridge damaged by storm and flood, declaring the urgency thereof, to take effect immediately.

CONSIDERATION OF DAILY FILE (RESUMED)

CONSIDERATION OF SPECIAL ORDER

The hour of 11 a.m. having arrived, Senate Bill No. 41 was taken up.

Senate Bill No. 41—An act making an appropriation for the payment of the cost of cooperation with the United States in the construction of projects for flood control in this State.

Motion to Reset Special Order

Senator Crittenden moved that Senate Bill No. 41 be made a special order of business for Monday, February 11, 1946, at 3 p.m.

Motion carried.

ADJOURNMENT

At 11.05 a.m., on motion of Senator Powers, the President declared the Senate adjourned until 10.30 a.m., Friday, February 8, 1946.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-SIXTH (FIRST EXTRAORDINARY) SESSION

SENATE DAILY JOURNAL

TWENTY-FIFTH LEGISLATIVE DAY
THIRTY-THIRD CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO
Friday, February 8, 1946

The Senate met at 10.30 a.m.

Hon. Jerrold L. Seawell, President pro tempore of the Senate, presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Biggar, Brown, Burns, Carter, Collier, Crittenden, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kuchel, Mayo, McCormack, Mixter, Parkman, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Ward, and Weybret—35.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Dr. Clarence A. Kircher.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Cunningham, on motion of Senator Deuel, due to legislative business.

Senator Powers, on motion of Senator Seawell, due to legislative business.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Rich, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Brig. Gen. Hammond Birks, and Major McCallom of Camp Beale.

On request of Lt. Governor Houser, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Mottford Flynn of San Francisco.

On request of Senator Seawell, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Dr. A. E. Chappell, Mr. I. H. Whitthorne, Mr. Al St. John, Mr. Frank O. Bell, and Mr. Richard Y. Rule of Vallejo.

On request of Senator Dilworth, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Deloris Hurley of Riverside.

On request of Senator Dillinger, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. H. E. Hollenbeck, Eagle Scout Robert Hollenbeck, Diamond Springs Troop 95 of Placerville; Marvin Shulman, Explorer Scout, of Post 2010, Sacramento; Mr. Carlton Owen, Field Executive, B. S. A.; Mr. James Deek, Field Executive, B. S. A., and Mr. Virgil Schaeffer, Field Executive, B. S. A.

On request of Senator Donnelly, the privilege of the floor of the Senate Chamber for this day was unanimously extended to J. A. E. Naess, Jr., of San Francisco.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. H. E. Winterstein, principal, Mr. M. W. Schneider, custodian, and the following eighth grade students of the Arden Elementary School of Sacramento: Dick Watkins, John Stetson, Harold Warass, Angelo Pellegrini, Delmar Simmerman, Lloyd Hoffman, Bill Petty, Marlynn Roxburgh, Georgetta Kayser, Mildred Shaw, Jerry Chesson, Janice Walker, Robin Hartman, Lila Raviotta, Ferris Childs, Janet McBroom, Marnette Smith, Diane Arbuckle, Barbara Bonnallie, Carol Sackett, Donna Cole, Sabra Seabury, and Louisa Marty.

President of the Senate Presiding

At 10.40 a.m., Hon. Frederick F. Houser, President of the Senate, presiding.

RECESS

At 10.40 a.m., on motion of Senator Dillinger, the Senate recessed to allow Senator Dillinger to introduce Mr. Robert Hollenbeck and Mr. Marvin Shulman, Boy Scouts, and Mr. Carlton Owen, Mr. James Deek, and Mr. Virgil Schaeffer, Field Executives, B. S. A., and allow Mr. Robert Hollenbeck to read the Proclamation by the President of the United States, regarding Boy Scouts of America, to the Senate.

REASSEMBLED

At 10.47 a.m., the Senate reconvened.

Hon. Frederick F. Houser, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

MOTION TO PRINT PROCLAMATION

Senator Dillinger moved that the Proclamation of the President of the United States, regarding Boy Scouts of America, be printed in the Journal.

Motion carried.

THE WHITE HOUSE, WASHINGTON

To the Boy Scouts of America

In a world that has suffered so grievously from the most awful war in history, your theme for the year, Scouts of the World—Building Together, is timely, refreshing, and appropriate.

Evidence of your determination to help your fellow Scouts in other lands less fortunate than ours is worthy indeed of the Boy Scouts of America. Your record for wartime services accomplished is enviable. Analyze it and you will find that planning,

enthusiasm, and, above all, cooperation, helped you win through in your various campaigns.

Now that hostilities have ceased, you Scouts and your brother Scouts overseas can help the world maintain a secure peace by fostering good-will, understanding, and respect through continued cooperation.

Good Scouts, good Scoutmasters, and good scouting! There is a real contribution to the new world now in the making.

Keep on building together in this, the thirty-seventh year of the Scout movement in America, and all the years to come.

(Signed) HARRY S. TRUMAN

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 5	Senate Bill No. 27
Senate Bill No. 15	Senate Bill No. 31
Senate Bill No. 21	Senate Bill No. 60
Senate Bill No. 24	Senate Bill No. 71

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By HAROLD F. LEWRIGHT, Assistant Clerk

Above bills ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 75	Assembly Bill No. 146
Assembly Bill No. 78	Assembly Bill No. 148
Assembly Bill No. 105	Assembly Bill No. 151
Assembly Bill No. 109	Assembly Bill No. 152
Assembly Bill No. 132	Assembly Bill No. 153
Assembly Bill No. 143	

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By HAROLD F. LEWRIGHT, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 31

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By HAROLD F. LEWRIGHT, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

Assembly Bill No. 75—An act making an appropriation for a State School for the Deaf in the southern part of California.

Referred to Committee on Rules.

Assembly Bill No. 78—An act authorizing any county or city and county to expend public funds and to expend, use, or permit the use of public property or personnel to meet emergencies arising out of conditions created by the reconversion from a wartime to a peacetime economy, irrespective of budget or other limitations, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Rules.

Assembly Bill No. 105—An act making an appropriation to the Department of Agriculture for construction, maintenance and equipment to provide housing facilities at State border quarantine stations, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Rules.

Assembly Bill No. 109—An act to amend Sections 4452, 4453 and 4458 of the Labor Code, and to repeal Section 4460 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Rules.

Assembly Bill No. 132—An act to amend Sections 804, 814, 815, 985.5, 986.4 and 986.5 of the Military and Veterans Code, relating to the purchase of farms and homes by veterans.

Referred to Committee on Rules.

Assembly Bill No. 143—An act to amend Section 44 of the County Employees Retirement Act of 1937, relating to elective officers' declarations to become members of county retirement associations, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Rules.

Assembly Bill No. 146—An act to amend Section 4300c of the Political Code, and Section 6107 of the Government Code, relating to the recordation and issuance of certified copies of documents of discharge, service, release, and separation of veterans.

Referred to Committee on Rules.

Assembly Bill No. 148—An act making an appropriation for construction, improvement, repairs and equipment of Camp Taylor State Park, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Rules.

Assembly Bill No. 151—An act to add Section 10.5 to the Housing Authorities Law, relating to housing.

Referred to Committee on Rules.

Assembly Bill No. 152—An act to add Section 7.5 to the Municipal Court Act of 1925, relating to the compensation of attaches of municipal courts in cities of the first and one-half class who return from service with the armed forces of the United States.

Referred to Committee on Rules.

Assembly Bill No. 153—An act making an appropriation to the Department of Agriculture for the acquisition of real property, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 31—Relative to respectful tribute to Victor J. Canepa.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, February 7, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 99
Senate Bill No. 109

And reports the same correctly engrossed

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, February 7, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Assembly Joint Resolution No. 15

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 3; absent 2.

SEAWELL, Chairman

Above reported resolution ordered to third reading.

SENATE CHAMBER, SACRAMENTO, February 7, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Proposed Senate Bill No. 116.

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Water Resources.

Committee membership 5; committee vote: Ayes 3; absent 2.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, February 7, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Proposed Senate Bill No. 117

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be sent to the Committee on Military and Veterans Affairs.

Committee membership 5; committee vote: Ayes 3; absent 2.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, February 7, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Proposed Senate Bill No. 118

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Water Resources.

Committee membership 5; committee vote: Ayes 3; absent 2.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, February 7, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Assembly Bill No. 128.

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Institutions.

Committee membership 5; committee vote: Ayes 3; absent 2.

SEAWELL, Chairman

Above reported bill re-referred to Committee on Institutions.

Committee on Judiciary

SENATE CHAMBER, SACRAMENTO, February 7, 1946

MR. PRESIDENT: Your Committee on Judiciary, to which was referred:

Senate Constitutional Amendment No. 2

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

Committee membership 12; committee vote: Ayes 10; absent 2.

KEATING, Chairman

Above reported resolution ordered to second reading.

SENATE CHAMBER, SACRAMENTO, February 7, 1946

MR. PRESIDENT: Your Committee on Judiciary, to which were referred:

Senate Bill No. 91

Assembly Bill No. 121

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 12; committee vote: Ayes 10; absent 2.

KEATING, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, February 7, 1946

MR. PRESIDENT: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 117

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 12; committee vote: Ayes 10; absent 2.

KEATING, Chairman

Above reported bill ordered to second reading.

Committee on Natural Resources

SENATE CHAMBER, SACRAMENTO, February 7, 1946

MR. PRESIDENT: Your Committee on Natural Resources, to which was referred:

Assembly Concurrent Resolution No. 24

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 9; committee vote: Ayes 5; absent 4.

FLETCHER, Chairman

Above reported resolution ordered to third reading.

Committee on Governmental Efficiency

SENATE CHAMBER, SACRAMENTO, February 8, 1946

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 37

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Finance.

Committee membership 11; committee vote: Ayes 9; noes 2.

SWING, Chairman

REQUEST FOR UNANIMOUS CONSENT

Senator Swing asked for, and was granted, unanimous consent to take up Senate Bill No. 37, at this time, for the purpose of adopting committee amendments.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 37—An act to provide a unified program of construction, improvement, and equipment for State agencies, creating a State Public Works Board, and making an appropriation to carry out the provisions of this act.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

Amendment No. 1

On page 1 of the printed bill, as amended in the Senate on January 21, 1946, strike out lines 20 to 24, inclusive; and on page 2, strike out lines 1 to 9, inclusive, and insert

"SEC. 2. In furtherance of the Postwar Public Works Program for State agencies which has been prepared to accomplish the purpose for which the Postwar Employment Reserve was established, the head or governing body of each State agency shall submit to the board, when requested to do so, such additional information with reference thereto and such plans, specifications and estimates of cost as the board may require."

Amendment No. 2

On page 2, line 49, of said bill, strike out "and" and insert ", to be".

Amendment No. 3

On page 3 of said bill, strike out lines 22 to 52, inclusive; strike out all of pages 4 to 17, inclusive; and on page 18, strike out lines 1 to 20, inclusive, and insert

"University of California	$30,000,000.00
Department of Education	13,500,000.00
Department of Mental Hygiene	57,500,000.00
Department of Corrections	12,200,000.00
California Youth Authority	7,000,000.00
Veterans' Home	2,400,000.00
State Department of Finance for State Capitol, Office and other Buildings	15,800,000.00
Department of Natural Resources	3,300,000.00
Department of Motor Vehicles	3,407,500.00
Department of Agriculture	450,000.00
State Agricultural Society and Exposition Park—Sixth District Agricultural Association	3,500,000.00
Miscellaneous Repairs and Improvements of which not more than one million dollars ($1,000,000) shall be available to the University of California	5,000,000.00".

Amendment No. 4

On page 2 of said bill, between lines 19 and 20, insert

"In enacting this act the Legislature does not approve or disapprove any of the projects or buildings mentioned in the "overall priority lists" or supplemental "balance of program" lists set forth in the Statement of Capital Expenditures Required by State Agencies submitted by Director of Finance to the First Extraordinary Session Fifty-sixth Legislative Session, January, 1946, as printed in the Senate Journal for January 7, 1946, beginning at page 26 and in the Assembly Journal for January 7, 1946, beginning at page 35; but the Legislature commits such approvals and the establishment of priorities to the State Public Works Board. The Legislature realizes that said Statement of Capital Expenditures Required by State Agencies includes proposals for the expenditure of many, many millions of dollars for projects not designed or calculated to relieve, ameliorate or rectify the intolerably overcrowded and distressed living conditions at our hospitals and other institutions for the care of the mentally ill and other wards of the State, and, therefore, requests and directs the State Public Works Board, in the exercise of its powers and the discharge of its responsibilities under this act, to give prime consideration to the needs of these institutions, and, in making its approvals and in establishing priorities, to do everything within its power to assure prompt rectification of such conditions and to allow or suffer the undertaking of no other project at a time or in a manner or under conditions that will or may impair or retard the expeditious and complete attainment of these objectives for the wards of the State."

Amendment No. 5

On page 18 of said bill, between lines 23 and 24, insert

"No expenditures shall be made from the appropriation made by this act for any construction, building, or work for any agricultural purpose or activity until 90 days after the convening of the Fifty-seventh Session of the Legislature."

Amendment No. 6

On page 18 of said bill, strike out lines 51 and 52; and on page 19, strike out lines 1 to 6, inclusive, and insert

"SEC. 9. (a) Prior to the commencement of any work of construction to be paid for from the appropriation made by this act, or the letting of any contract therefor, the State Public Works Board shall:

(1) Adopt a master plan for any State institutions or agency specified in Section 6 of this act; and

(2) Cause model plans for typical buildings for such institutions and agencies to be prepared and made available.

(b) Each of the State departments and agencies specified in Section 6 of this act shall adopt a policy for determining the allowable cost to the State of residences for superintendents and other officers and employees of State institutions, under which the residences provided to such institution officers and employees, whether or not a charge is made to the officer or employee for the use of the residence, shall not exceed in value or luxury the average private homes of persons not in public office or employment who hold positions of comparable responsibility, and, where such charges are made, shall fix charges for rental of such residences to institution officers and employees in accordance with that policy. The policy shall be approved by the Department of Finance and by the State Public Works Board before any plan is finally adopted for such residences to be paid for from the appropriation made by this act, or any contract is let for the building of such residences or for work of construction thereon, or any such building or work of construction is commenced."

Amendment No. 7

On page 18, line 41, of said bill, strike out "Fund".

Amendment No. 8

On page 18 of said bill, strike out lines 30 to 39, inclusive.

Amendment No. 9

On page 19, line 9, of said bill, strike out the period, and insert ", but any money in this appropriation not actually obligated by contracts or purchase orders that have been let or entered into for construction, improvements and equipment but remain available, either in the fund itself, in the appropriation, or which have been transferred to the Division of Architecture Fund, or transferred to any other fund, shall on June 30, 1951, revert to the funds to which they were appropriated.

SEC. 11. If the State Public Works Board allots a specific sum for a specific project, and any or all of the sum allotted is not expended for that project, it shall remain in the appropriation and shall continue to be available for any project authorized by the board in carrying out the provisions of this act.

SEC. 12. Within 10 days after the opening of the Fifty-seventh Regular Session of the Legislature, and at each succeeding regular session, until said Building Program shall have been completed, the State Public Works Board shall report to the Legislature the progress being made in carrying out the Building Program herein provided for, the amount of money allocated and obligated by contract or purchase order, the balance available for each project, the anticipated needs for expenditure during the next biennium. The said board shall, at the beginning of each regular session of the Legislature, advise the Legislature as to such additional amount, if any, which should be appropriated by the Legislature from the State Treasury to meet the costs of carrying out such program during the next biennium.

SEC. 13. Ninety days prior to the opening of the Fifty-seventh Regular Session of the Legislature and 90 days prior to the convening of each succeeding session until said Building Program shall have been completed, the State Public Works Board shall report to the Governor the progress being made in carrying out the Building Program herein provided for, the amount of money allocated and obligated by contract or purchase order, the balance available for each project, the anticipated needs for expenditure during the next biennium. The Governor shall include this information in his Biennial Budget and shall recommend to the Legislature such additional amounts, if any, which should be appropriated by the Legislature to meet the costs of carrying out such Building Program as he recommends during the next biennium."

Amendments read and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Efficiency

SENATE CHAMBER, SACRAMENTO, February 7, 1946

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred:

Assembly Bill No. 144

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 11.

SWING, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, February 7, 1946

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 110

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 11; committee vote: Ayes 11.

SWING, Chairman

Above reported bill ordered to second reading.

Committee on Judiciary

SENATE CHAMBER, SACRAMENTO, February 8, 1946

MR. PRESIDENT: Your Committee on Judiciary, to which was referred:

Senate Bill No. 79

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 12; committee vote: Ayes 10; absent 2.

KEATING, Chairman

Above reported bill ordered to second reading.

RESOLUTIONS

The following resolution was offered:

By Senator Dillinger:

Senate Resolution No. 27

WHEREAS, The week from February 8th to 14th is Boy Scout Week, and marks the Thirty-sixth Anniversary of the founding of this great youth and character building organization, and

WHEREAS, Our youth is by far the greatest asset that we have. All the wealth in our treasuries, all the millions in our vaults, all the gold in our hills, is not worth 1 cent if we fail in the building of our boys—the men of tomorrow, and

WHEREAS, The training of our boys into fine manhood and good citizenship is the greatest responsibility before us, therefore, be it

Resolved, That when we do this day adjourn, that we do so in commemoration of the founding of this great organization—THE BOY SCOUTS OF AMERICA, in recognition of the good work, both of the paid personnel and of the large number of volunteer personnel who gave freely and unselfishly of their talents, time, money and interest for the good of our future manhood, and with a firm resolve to bend every effort ourselves toward the solution of our youth problems that are of such vital interest to all of us.

Resolution read, and referred to Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT

Senator Rich asked for, and was granted, unanimous consent to have the following statements prepared by the Legislative Auditor: "Aid to counties in the future by the State" and the "Senate Finance Committee Recommends for Appropriation from Postwar Building Reserves and General Fund as of February 7, 1946" printed in the Journal:

January 29, 1946

Aid to Counties in the Future by the State

Prepared by Rolland A Vandegrift, Legislative Auditor

During the last week in January, 1946, official action was taken by the supervisors representing seven counties calling upon Governor Warren to declare an emergency in relation to the growing cost of indigent aid in Los Angeles, San Bernardino, San Diego, Ventura, San Francisco, Alameda, Contra Costa and San Joaquin Counties.

Supervisor William A. Smith of Los Angeles County presented a resolution requesting Governor Warren to call another special session to consider amending and placing into effect Assembly Bill No. 2057 which provides State aid to the counties to meet the relief load.

Since VJ Day indigent aid requirements have been increasing in the above seven listed counties. These include 80 per cent of the State's population.

Direct aid to the needy in Los Angeles County during 1945 totaled $48,486,181. This included payments for the aid to the needy aged, blind, dependent children and general county relief. The monthly aid ranged from a low for January, 1945, of $3,963,840, to a high for December of $4,222,480. The total aid paid to the needy for the State during 1945 was $106,044,765. The highest month was December with payments of $9,135,632.

With the coming of VE Day total aid started upward. By VJ Day it was greatly accelerated.

The number of unemployed has likewise increased in a corresponding ratio, starting in material proportions with VE Day and being accelerated at the coming of VJ Day, so that by the week ending January 17, 1946, the total of weekly claims on the Califor-

nia Unemployment Insurance Fund, excluding veterans, reached 192,652, while the total continued claims amounted to 220,453.

The aid to the needy aged has continued to increase beginning with VE Day and likewise was greatly accelerated with the coming of VJ Day. Many of these oldsters who were employed prior to VJ Day were let out through the process of selective employment. They first went onto unemployment insurance roll where they continued receiving payments for a period of time up to a maximum of 26 weeks. As soon as they went off the unemployment insurance roll most of them immediately appeared on the roll of the needy aged. The total number on this roll increased to 159,565 for December, 1945, thus exceeding the previous maximum number on the roll. This was a gain of 750 in one month.

In addition to those on the needy aged roll there has been a continuous rise in the number of former aged security recipients in county hospitals. The case load of invalid aged persons cared for in county hospitals rose from 335 in July, 1942, to 1,492 in November of 1945, or an increase of approximately 345 per cent in 3½ years. If the present trend continues it will result in a case load of approximately 2,040 persons by June, 1947, or a 509 per cent increase over the July 1942, figure.

This increased load would cost the taxpayers of the State $47,838 for the month of June, 1947.

The potential load of the needy aged both in payments and hospitalization can be realized when we consider that California's population of persons 65 years of age or older is estimated to have risen from 592,000 in July, 1942, to 674,000 in July, 1945. This was an increase of 13.8 per cent. The number of invalid aged in county hospitals during the same period rose from 335 to 1,368. The number of aged in county hospitals is increasing at a much faster rate than population. From as early as 1941 it was noted that from 15 per cent to 20 per cent of old age security cases were being admitted to public and private institutions.

With increasing unemployment there will be an increasing number of needy aged on the regular rolls and likewise increasing number of those at county hospitals. When we see that seven counties in the State are already complaining bitterly over the indigent roll and asking for State aid, what will be the cry of these counties if and when the State should have as many as 2,000,000 unemployed? This would be approximately 10 times the number of unemployed. It is not inconceivable that we would then have approximately 10 times the needy aged on the roll, but probably the number should be adjusted downward somewhat for there will be a decreasing number of aged in the increasing unemployment roll.

Senate Finance Committee Recommends for Appropriation From Postwar Building Reserves and General Fund as of February 7, 1946

PREPARED BY ROLLAND A VANDEGRIFT, LEGISLATIVE AUDITOR

(1) Postwar Building Reserves:		
(a) Postwar Employment Reserve Fund	$145,000,000 00	
Appropriations recommended	25,000,000 00	
		$120,000,000 00
(b) Postwar Unemployment and Construction Fund	$90,000,000 00	
Interest, approximately	400,000 00	
Total	$90,400,000 00	
Appropriations recommended	90,400,000 00[1]	
		$----------
Balance in both funds		$120,000,000 00
(2) Estimated surplus in General Fund as of June 30, 1947, not considering appropriations of Special Session 1946	$45,000,000 00[2]	
Appropriated by the bills approved by the Senate Finance Committee as of February 7, 1946	$68,013,402 00	
Deficit		$-23,013,402 00
Treasury condition if S.B. 37 approved:		
(1) Postwar Employment Reserve Fund—exhausted.		
(2) Postwar Unemployment and Construction Fund—exhausted except possible excess interest earning.		
(3) General Fund—deficit		$57,013,402 00

[1] Duplicate bills Assembly Bill No. 60 and Senate Bill No. 90 passed.

[2] Estimate revised on basis of more recent tax assessment and collection figures as of February 1, 1946.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following bills were introduced, and read the first time:

Senate Bill No. 116: By Senators Cunningham, Hatfield, Mixter, Deuel, Donnelly, Crittenden, Sutton, McCormack, Brown, Collier, Dorsey, and Burns—An act making an appropriation for public works to facilitate the making of snow surveys.

Referred to Committee on Water Resources.

Senate Bill No. 117: By Senators Quinn, Mixter, and Dilworth—An act making an appropriation to the Veterans' Home of California to carry out the State's Postwar Building Program in respect to that State agency.

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 118: By Senator Gordon—An act making an appropriation to the Department of Public Works, Division of Water Resources, for repair and restoration of a bridge damaged by storm and flood, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Water Resources.

CONSIDERATION OF DAILY FILE

SECOND READING OF SENATE BILLS

Senate Bill No. 14—An act making an appropriation to the State Fire Marshal to carry out the provisions of Chapters 727 and 728, Statutes of 1945, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "sixteen thousand six", and insert "fourteen thousand two".

Amendment No. 2

On page 1, lines 4 and 5, of the printed bill, strike out "$16,690", and insert "$14,290".

Amendments read and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 84—An act making an appropriation for investigation, survey and report concerning construction and operation of public works for the control and utilization of the flood waters of Caliente Creek, Kern County, and its tributaries, an urgency measure to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance:

Amendment No. 1

In the title of the printed bill, as amended, in the Senate on January 30, 1946, strike out line 4, and insert "streams in Kern County, an urgency".

Amendment No. 2

On page 1, line 9, of said bill, strike out the period, and insert ", and Sycamore, Little Sycamore, Tejon and Comanche Creeks, the flood waters of which affect portions of the same area as the flood waters of said Caliente Creek."

Amendments read and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 89—An act relating to airports, creating a Division of Airports in the Department of Public Works, with a Chief of the Division of Airports therein, prescribing his powers and duties with respect to all airports in this State, amending Section 14005 of the Government Code, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance:

Amendment No. 1

On page 1, line 9, of the printed bill, as amended in the Senate on February 4, 1946, after "shall", and after "law", insert a comma.

Amendment No. 2

On page 1 of said bill, strike out lines 16 to 18, inclusive.

Amendments read and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 102—An act to provide for participation by the State of California in the celebration to be held at Monterey commemorating the raising of the American Flag by Commodore Sloat, creating a commission therefor, and making appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance:

Amendment No. 1

On page 2, line 17, of the printed bill, strike out "the sum of _____ ($_____)", and insert "the sum of seven thousand five hundred dollars ($7,500)".

Amendment read and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 103—An act to provide for participation by the State of California in a celebration to be held at Sonoma commemorating the raising of the Bear Flag of the California Republic, creating a commission therefor, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance:

Amendment No. 1

On page 2, line 16, of the printed bill, strike out "the sum of _____ ($_____)", and insert "the sum of seven thousand five hundred dollars ($7,500)".

Amendment read and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 76—An act making an additional appropriation for legislative printing, binding, etc., to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 77—An act augmenting the appropriation to the California Veterans' Commission for support, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 87—An act providing for school district public works and making an appropriation therefor.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 98—An act making an appropriation for the support of the Department of Veterans Affairs.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 106—An act making an appropriation for the contingent expenses of the Senate, including expenses of committees, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 47—An act making an appropriation to The Regents of the University of California to meet the urgent building needs of the University of California, and in furtherance of the building program thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance:

Amendment No. 1

On page 1, lines 6 and 7, of the printed bill, as amended in the Assembly on January 25, 1946, strike out "the Postwar Employment Reserve in the General Fund", and insert "any money".

Amendment No. 2

On page 1, line 7, of said bill, following "treasury", insert "not otherwise appropriated".

Amendments read and adopted.

Bill ordered printed, and to third reading.

Assembly Bill No. 52—An act to provide for the acquisition of temporary and emergency housing facilities for veterans and families of servicemen by joint action of the State and local agencies, providing for the operation of such facilities, making an appropriation, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance:

Amendment No. 1

On page 2, of the printed bill, as amended in the Senate on February 4, 1946, after line 52, insert

"The authority granted to local agencies by this act may be exercised either inside or outside the boundaries thereof; provided, however, such authority may not be exercised outside the boundary of such local agencies without the consent, by resolution, of the governing body of such outside territory."

Amendment No. 2

On page 6, line 19, of said bill, strike out "Section 3714", and insert "Sections 3714-3714.26, inclusive."

Amendments read and adopted.

Bill ordered printed, and to third reading.

Assembly Bill No. 88—An act to provide for the making of a survey of the hospital and health center facilities and needs of the State and the development of a program for the construction of hospitals, and health centers, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance:

Amendment No. 1

On page 1, line 13, of the printed bill, as amended in the Senate on January 30, 1946, after "State", insert "and local".

Amendment read and adopted.

Bill ordered printed, and to third reading.

Assembly Bill No. 104—An act making an appropriation for student housing at the State colleges.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance:

Amendment No. 1

On page 1, line 5, of the printed bill, as amended in the Assembly on January 25, 1946, after "for", insert "the acquisition of sites for, and".

Amendment No. 2

On page 1, line 6, of the said bill, after "housing", strike out "at", and insert "on the campuses of".

Amendment No. 3

On page 1 of said bill, following line 7, insert

"The acquisition of any sites under the provisions of this act shall be subject to the Property Acquisition Act."

Amendments read and adopted.

Bill ordered printed, and to third reading.

Assembly Bill No. 28—An act to provide State assistance of local agencies for the control of mosquitoes, and making an appropriation therefor, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 41—An act making an appropriation for construction, improvements, repairs and equipment of State parks, Division of Beaches and Parks, Department of Natural Resources, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 42—An act making an appropriation for construction, improvements, repairs and equipment of State beaches, Division of Beaches and Parks, Department of Natural Resources, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 62—An act to make an appropriation to the Veterans' Welfare Board to carry out the provisions of Section 699.5 of the Military and Veterans Code.

Bill read second time, and ordered to third reading.

Assembly Bill No. 95—An act making an appropriation to the Department of Finance for construction, improvements, and equipment, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 100—An act making an additional appropriation for support of the Department of Motor Vehicles for the Ninety-seventh and Ninety-eighth Fiscal Years, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 101—An act reappropriating the appropriation made by Item 187.2 of the "Budget Act of 1945," and making an additional appropriation for the support of the Department of Motor Vehicles in the Ninety-seventh and Ninety-eighth Fiscal Years, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 102—An act making an appropriation for additional support of the Department of Industrial Relations, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 106—An act to amend Section 988.3 of the Military and Veterans Code, relating to funds of the Veterans' Welfare Board, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 113—An act making an additional appropriation for support of the Department of Motor Vehicles in the Ninety-seventh and Ninety-eighth Fiscal Years, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 122—An act to amend Section 185 of the Streets and Highways Code, to make an appropriation for the revolving fund of the Division of Highways, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 94—An act to amend Sections 6726 and 7012.5 and to repeal Sections 6726.1 and 7012.6 of the Welfare and Institutions Code, relating to the support of mental patients in boarding homes, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 48—An act to add Section 13001.1 to the Education Code, relating to the validation of acts of governing boards of school districts in employing and compensating persons employed in positions requiring certification qualifications, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 7—An act to amend Sections 19601, 19608, 19613, and 19616 of, and to add Sections 19613.5 to, the Education Code, relating to child care centers, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "Section 19613.5", and insert "Sections 19613.5 and 19617".

Amendment No. 2

On page 1 of said bill, strike out lines 11 and 12, and insert "is now engaged, without imposing additional taxes on property which the owners of such property can not, because of the burdens imposed by such war, be reasonably expected to bear."

Amendment No. 3

On page 2, line 29, of said bill, strike out the comma, and insert a period.

Amendment No. 4

On page 2 of said bill, strike out lines 30 to 32, inclusive, and insert
"SEC. 6. Section 19617 is added to said code, to read:
19617. No additional child care centers may be established after the effective date of this section."

Amendment No. 5

On page 2, line 33, of said bill, strike out "6", and insert "7".

Amendments read and adopted.

Bill ordered printed, and to third reading.

THIRD READING OF SENATE BILLS

Senate Bill No. 94—An act to amend the title and Section 2 of, and to add Sections 1.5, 10 and 11 to, and to repeal Section 6 of, an act entitled "An act to provide for refunding or crediting to veterans of World War I certain payments and interest thereon made pursuant to contracts for the purchase of farms and homes under the Veterans Farm and Home Purchase Act and Chapter 3 of Division 4 of the Military and Veterans Code;" approved July 18, 1945, relating to refunding or crediting certain payments and interest made pursuant to contracts for the purchase of farms and homes by veterans, declaring the urgency hereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Biggar, Brown, Burns, Carter, Collier, Crittenden, DeLap, Desmond, Deuel, Dillinger, Donnelly, Dorsey, Fletcher, Hatfield, Hulse, Keating, Kuchel, Mayo, Mixter, Parkman, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, and Ward—28.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Carter, Collier, Crittenden, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Hatfield, Hulse, Judah, Keating, Kuchel, Mayo, Mixter, Parkman, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, and Ward—30.
NOES—None.

Bill ordered transmitted to the Assembly.

Senate Joint Resolution No. 6—Relative to a bill pending in the Congress providing for the relief of owners of gold mines affected by Federal regulation.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Brown, Burns, Carter, Collier, Crittenden, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hulse, Judah, Keating, Kuchel, Mayo, Mixter, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, and Ward—30.
NOES—None.

Resolution ordered transmitted to the Assembly.

Senate Bill No. 109—An act to add Section 451.5 to the Agricultural Code, relating to new milk products developed through research in the uses of milk and the products and by-products thereof, providing for effectuating and insuring such research by authorizing the production and marketing of products newly discovered or developed, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Biggar, Brown, Burns, Carter, Collier, Crittenden, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Judah, Keating, Kuchel, Mayo, Mixter, Parkman, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, and Ward—30.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Burns, Carter, Collier, Crittenden, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Judah, Keating, Kuchel, Mixter, Parkman, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Swing, and Ward—30.
NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 99—An act amending Section 6101 of the Penal Code, relating to the acquisition of a site for the Medical Facility of the Department of Corrections.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Judah, Keating, Kuchel, Mayo, Mixter, Parkman, Salsman, Seawell, Slater, Sutton, Swing, and Ward—29.
NOES—None.

Bill ordered transmitted to the Assembly.

Chief Assistant Secretary Cleve V. Taylor at the Desk

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 59—An act to amend Section 4711 of the Health and Safety Code, relating to county sanitation districts, declaring the urgency hereof, to take effect immediately.

Bill read third time, and presented by Senator Carter.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Biggar, Brown, Burns, Carter, Collier, Crittenden, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Judah, Keating, Mixter, Parkman, Quinn, Salsman, Seawell, Slater, Sutton, Swing, and Ward—27.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Burns, Carter, Collier, Crittenden, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Judah, Keating, Mayo, Mixter, Parkman, Quinn, Salsman, Seawell, Slater, Sutton, Swing, and Ward—29.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Joint Resolution No. 14—Relative to certain bills concerning California Indians, pending in the Congress of the United States.

Resolution read, and presented by Senator Biggar.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Brown, Burns, Carter, Crittenden, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Keating, Kuchel, Mayo, Mixter, Parkman, Quinn, Salsman, Seawell, Slater, Sutton, and Ward—27.
NOES—None.

Resolution ordered transmitted to the Assembly.

Assembly Bill No. 126—An act to amend Section 67.2 and Section 80.2 of Bank Act relating to loans guaranteed in whole or in part pursuant to the Servicemen's Readjustment Act of 1944.

Bill read third time, and presented by Senator Quinn.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Burns, Carter, Collier, Crittenden, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hulse, Judah, Keating, Kuchel, Mayo, Mixter, Parkman, Quinn, Rich, Seawell, Slater, Sutton, Swing, and Ward—28.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 130—An act to add Sections 18977 and 19176 to the Government Code, relating to veterans' civil service status.

Bill read third time, and presented by Senator Keating.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Carter, Collier, Crittenden, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hulse, Judah, Keating, Mayo, Mixter, Parkman, Quinn, Rich, Seawell, Slater, Sutton, Swing, and Ward—27.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 135—An act to add Section 18974.5 to the Government Code, relating to veterans' preference in State civil service.

Bill read third time, and presented by Senator Keating.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Carter, Collier, Crittenden, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hulse, Judah, Keating, Kuchel, Mayo, Mixter, Parkman, Quinn, Rich, Salsman, Seawell, Slater, Sutton, Swing, and Ward—29.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 136—An act to amend Section 20303 of the Government Code, relating to membership in the State Employees' Retirement System.

Bill read third time, and presented by Senator Keating.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Burns, Carter, Collier, Crittenden, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hulse, Judah, Keating, Mayo, Mixter, Parkman, Quinn, Rich, Salsman, Seawell, Slater, Sutton, Swing, and Ward—29.
NOES—None.

Bill ordered transmitted to the Assembly.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Joint Resolution No. 7

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

Above resolution ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Joint Resolution No. 19
Assembly Concurrent Resolution No. 20

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolutions were read:

Assembly Joint Resolution No. 19—Relating to contemplated change in Office of Price Administration regulations covering Douglas Fir lumber.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 20—Relative to the creation of a Joint Committee on the Housing Emergency.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Labor

SENATE CHAMBER, SACRAMENTO, February 7, 1946

MR. PRESIDENT: Your Committee on Labor, to which was referred:

Senate Bill No. 108

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 7; committee vote: Ayes 7.

SHELLEY, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, February 7, 1946

MR. PRESIDENT: Your Committee on Labor, to which was referred:

Senate Joint Resolution No. 5

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 7; committee vote: Ayes 7.

SHELLEY, Chairman

Above reported resolution ordered to third reading.

THE FOLLOWING PROPOSED BILLS WERE READ, AND REFERRED TO COMMITTEE ON RULES

By Senators Shelley and Parkman—An act to add Section 19626.5 to the Business and Professions Code, authorizing Agricultural District 1A to expend money for construction, improvements and equipment, declaring the urgency of this act, to take effect immediately.

REQUEST FOR UNANIMOUS CONSENT

Senator Biggar asked for, and was granted, unanimous consent to take up Senate Resolution No. 28, at this time, for consideration.

CONSIDERATION OF SENATE RESOLUTION NO. 28

Senate Resolution No. 28

Relative to mineral deposits of California and economic values and estimated costs of recovery to convert them into economic uses

WHEREAS, The rapid depletion of known irreplaceable natural resources of the State of California such as oil and gas, commercial metallic and nonmetallic minerals, and the replaceable forests and game preserves provides a hazard to the future welfare of the people of California; and

WHEREAS, It has been accepted as a matter of fact that these resources were unlimited, thereby causing extravagant and careless use with small regard for the future requirements of the people of California; and

WHEREAS, It is now obvious that the population of our State is increasing at an unexpected rate, providing for special attention of its lawmakers and executive authorities the specific problem of employment and housing, which are dependent upon the production of materials chiefly derived from the oil and gas wells, mines and forests for the source of supply of such materials; and

WHEREAS, As public servants the Legislature now in extraordinary session is confronted with the problem of providing ways and means to bring about an orderly and planned development of the State's resources through which industry, agriculture and commerce can be coordinated for the production of improved economic and social conditions in the State of California, now dependent upon the conservation and proper utilization of the natural resources, soil and water to prevent waste and unproductive or careless losses, imperative in the interests of the people, served by and seeking the protection and leadership of its elected representatives; and

WHEREAS, A careful study of the known or suspected sources of raw materials and supplies of water for industrial, agricultural and commercial use, including growth of requirements in our municipalities and centers of population is incumbent upon this Legislature and the Executive branch of our State Government; and

WHEREAS, Much information is available to be correlated into a composite catalogue of industrial minerals, relative to the cost of manufacturing products from the mineral resources of our State, which can be obtained without cost to the State; now, therefore, be it

Resolved, By the Senate of the State of California, that the Senate recognizes the need for factual data on the mineral resources of the State, their economic value, availability to market, transportation needs and costs to make them available to support the rapidly growing industries in California; and be it further

Resolved, That the Standing Committee of the Senate on Natural Resources is hereby directed to secure data on location, economic value and uses of our mineral deposits, estimated costs of making them available for industrial development, and furnish same for use of the Legislature at the 1947 session.

Resolution read, and adopted.

ADJOURNMENT

At 11.58 a.m., on motion of Senator Seawell, the President declared the Senate adjourned until 2 p.m., Monday, February 11, 1946.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-SIXTH (FIRST EXTRAORDINARY) SESSION

SENATE DAILY JOURNAL

TWENTY-SIXTH LEGISLATIVE DAY
THIRTY-SIXTH CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO
Monday, February 11, 1946

The Senate met at 2 p.m.

Hon. Jerrold L. Seawell, President pro tempore of the Senate, presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Biggar, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Judah, Keating, Kuchel, Mayo, McBride, McCormack, Mixter, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—37.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Dr. Clarence A. Kircher.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Parkman, on motion of Senator Mixter, due to illness.

Senator Jespersen, on motion of Senator DeLap, due to illness in family.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Fletcher, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Clinton D. McKinnon, Mr. Dan McKinnon, and Mr. Mike McKinnon, of San Diego.

On request of Senator Dorsey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Clayton M. Hall, formerly of Bakersfield, now of Whittier.

On request of Senator Keating, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Warden Clinton Duffy of San Quentin and William Duffy of Woodland.

On request of Senator Hatfield, the privilege of the floor of the Senate Chamber for this day was unanimously extended to former Lieutenant Governor, now Colonel, Buron Fitts and Mrs. Fitts of Los Angeles.

On request of Senator Sutton, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Al Harrison of Colusa.

On request of Senator Gordon, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Reams Freedman of Berkeley.

On request of Senator McBride, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. D. P. Street, Mr. Robert H. Wilson, of San Francisco, and Barbara Lee of Station KPO, San Francisco.

On request of Senator Biggar, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Richard Codman of Fair Oaks and Mrs. Bertha Stewart of Smith River, Del Norte County.

President of the Senate Presiding

At 2.05 p.m., Hon. Frederick F. Houser, President of the Senate, presiding.

QUESTION OF PERSONAL PRIVILEGE

Senator Kuchel arose to a question of personal privilege, stating that he was about to resign, and asked that he be extended an opportunity, before presenting his resignation, to express his sincere appreciation to the Members of the Senate for their kind consideration and for the cooperation extended to him as a Member of the Senate.

Presentation of Resignation

Senator Kuchel presented his resignation to the President of the Senate.

Resignation of Senator Kuchel

The President directed the Secretary of the Senate to read the resignation of Senator Kuchel.

Whereupon the Secretary read the following resignation:

February 11, 1946

Hon. Frederick F. Houser, President of the Senate
State of California

DEAR SIR: I hereby resign as a Member of the Senate of the State of California representing the Thirty-fifth Senatorial District, to take effect immediately.

This resignation is delivered to you pursuant to Section 1750 of the Government Code.

Very truly yours,

THOMAS H. KUCHEL

RECESS

At 2.10 p.m., on motion of Senator Seawell, the Senate recessed to permit the Hon. Thomas H. Kuchel to take the oath of office for State Controller on the rostrum of the Senate.

Oath of Office

The Hon. Thomas H. Kuchel took and subscribed to the following oath of office, administered by Chief Justice Phil S. Gibson of the Supreme Court of the State of California:

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of California, and discharge the duties of the office of State Controller to the best of my ability.

REASSEMBLED

At 2.17 p.m., the Senate reconvened.

Hon. Frederick F. Houser, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

COMMUNICATIONS

The following communication was received, read, and ordered printed in the Journal:

OFFICE OF THE CONTROLLER
SACRAMENTO, February 11, 1946

To the Honorable Members of the Senate,
State of California, Sacramento, California

GENTLEMEN: In accordance with your request, expressed in Assembly Concurrent Resolution No. 18, there are presented herewith schedules stating the estimated unappropriated surplus of the General Fund as of June 30, 1947, and the estimated unappropriated surplus as of January 31, 1946, of the Postwar Employment Reserve, the Postwar Unemployment and Construction Fund, and the Bond Sinking Fund of 1943.

These unappropriated surpluses are summarized as follows:

General Fund	$133,142,757 00
Postwar Employment Reserve	144,007,361 00
Postwar Unemployment and Construction Fund	90,241,486 00
Bond Sinking Fund of 1943	279,970 00
Total	$367,671,574 00

The State's General Fund commenced the present biennium on July 1, 1945, with a surplus of $138,867,599. Revenues expected to accrue during the biennium, under the present tax structure, are estimated at $638,975,000. These revenues are $5,724,842 less than the expenditures and transfers to reserve funds authorized for the present two-year period.

It should be emphasized that the unappropriated surpluses referred to above do not consider any appropriations made, or that yet may be made, during the present special legislative session.

Respectfully yours.

STATE CONTROLLER
By BERT FOSTER, Deputy Controller

The report was ordered filed with Secretary of the Senate.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Joint Resolution No. 20

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By HAROLD F. LEWRIGHT, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following resolution was read:

Assembly Joint Resolution No. 20—Relating to the surplus potato crops in California.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, February 8, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 76
Senate Bill No. 77
Senate Bill No. 87
Senate Bill No. 98
Senate Bill No. 106

And reports the same correctly engrossed.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, February 11, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 19—An act to add Article 5A, comprising Sections 993 to 994.3 inclusive, to Chapter 6 of Division 4 of the Military and Veterans Code, authorizing the creation of a debt or debts, liability or liabilities, through the issuance and sale of State bonds, for the single object of creating a fund to provide farm and home aid for veterans in accordance with the provisions of the Veterans Farm and Home Purchase Act of 1943; defining the powers and duties of said committee and of the Veterans' Welfare Board and other State officers in respect to the administration of the provisions hereof; providing ways and means, exclusive of loans, for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures; appropriating money for the expense of preparing and of advertising the sale of bonds herein authorized to be issued; and providing for the submission of this act to a vote of the people at the general election to be held in the month of November, 1946;

And reports that the same has been correctly enrolled, and presented to the Governor on the eleventh day of February, 1946, at 12 noon.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, February 11, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 89
Senate Joint Resolution No. 5

And reports the same correctly engrossed.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, February 9, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 14
Senate Bill No. 84
Senate Bill No. 102
Senate Bill No. 103

And reports the same correctly engrossed.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, February 8, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Assembly Bill No. 148

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Natural Resources.

Committee membership 5; committee vote: Ayes 3, absent 2.

SEAWELL, Chairman

Above reported bill re-referred to Committee on Natural Resources.

SENATE CHAMBER, SACRAMENTO, February 8, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Assembly Bill No. 75

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Institutions.

Committee membership 5; committee vote: Ayes 3, absent 2.

SEAWELL, Chairman

Above reported bill re-referred to Committee on Institutions.

SENATE CHAMBER, SACRAMENTO, February 8, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Assembly Bill No. 109

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Labor.

Committee membership 5; committee vote: Ayes 3, absent 2.

SEAWELL, Chairman

Above reported bill re-referred to Committee on Labor.

SENATE CHAMBER, SACRAMENTO, February 8, 1946

MR. PRESIDENT: Your Committee on Rules, to which were referred:

Assembly Bill No. 132
Assembly Bill No. 146

Has had the same under consideration, and finds that same are within the purview of the call, and directs that they be referred to the Committee on Military and Veterans Affairs.

Committee membership 5; committee vote: Ayes 3, absent 2.

SEAWELL, Chairman

Above reported bills re-referred to Committee on Military and Veterans Affairs.

SENATE CHAMBER, SACRAMENTO, February 8, 1946

MR. PRESIDENT: Your Committee on Rules, to which were referred:

Assembly Bill No. 105
Assembly Bill No. 153

Has had the same under consideration, and finds that same are within the purview of the call, and directs that they be referred to the Committee on Agriculture.

Committee membership 5; committee vote: Ayes 3, absent 2.

SEAWELL, Chairman

Above reported bills re-referred to Committee on Agriculture.

SENATE CHAMBER, SACRAMENTO, February 8, 1946

MR. PRESIDENT: Your Committee on Rules, to which were referred:

Assembly Bill No. 78
Assembly Bill No. 143
Assembly Bill No. 152

Has had the same under consideration, and finds that same are within the purview of the call, and directs that they be referred to the Committee on Local Government.

Committee membership 5; committee vote: Ayes 3, absent 2.

SEAWELL, Chairman

Above reported bills re-referred to Committee on Local Government.

SENATE CHAMBER, SACRAMENTO, February 7, 1946

MR. PRESIDENT: Your Committee on Rules, to which were referred:

Proposed Senate Bill No. 119
Assembly Bill No. 151

Has had the same under consideration, and finds that same are within the purview of the call, and directs that same be referred to the Committee on Governmental Efficiency.

Committee membership 5; committee vote: Ayes 3; absent 2.

SEAWELL, Chairman

Above reported Assembly bill re-referred to Committee on Governmental Efficiency.

SENATE CHAMBER, SACRAMENTO, February 8, 1946

MR. PRESIDENT: Your Committee on Rules, to which were referred:

Senate Resolution No. 27
Assembly Joint Resolution No. 19
Assembly Concurrent Resolution No. 31

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 3; absent 2.

SEAWELL, Chairman

Above reported resolutions ordered to third reading.

Committee on Fish and Game

SENATE CHAMBER, SACRAMENTO, February 8, 1946

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred:

Assembly Bill No. 26

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to Committee on Finance.

Committee membership 11; committee vote: Ayes 8; absent 3.

GORDON, Chairman

Above reported bill ordered to second reading.

Committee on Natural Resources

SENATE CHAMBER, SACRAMENTO, February 8, 1946

MR. PRESIDENT: Your Committee on Natural Resources, to which was referred:

Assembly Bill No. 51

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 5; absent 4.

FLETCHER, Chairman

Above reported bill ordered to second reading.

Committee on Water Resources

SENATE CHAMBER, SACRAMENTO, February 11, 1946

MR. PRESIDENT: Your Committee on Water Resources, to which were referred:

Senate Bill No. 118

Assembly Bill No. 99

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 6; absent 3.

HULSE, Vice Chairman

Above reported bills ordered to second reading.

MOTION TO APPROVE SENATE JOURNALS

Senator Seawell moved that the Senate Journals of Monday, February 4, 1946; Tuesday, February 5, 1946; Wednesday, February 6, 1946; Thursday, February 7, 1946; and Friday, February 8, 1946; be approved as corrected by the Minute Clerk and the Journal Clerk.

Motion carried.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following bill was introduced, and read the first time:

Senate Bill No. 119: By Senators Shelley and Parkman—An act to add Section 19626.5 to the Business and Professions Code, authorizing Agricultural District 1A to expend money for construction, improvements and equipment, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Governmental Efficiency.

REQUEST FOR UNANIMOUS CONSENT

Senator Tenney asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 19, at this time, for consideration.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 19

Assembly Joint Resolution No. 19—Relating to contemplated change in Office of Price Administration regulations covering Douglas fir lumber.

Resolution read, and presented by Senator Tenney.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Brown, Burns, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Judah, Keating, Mayo, McBride, McCormack, Mixter, Powers, Rich, Seawell, Slater, Sutton, Swing, Tenney, and Ward—29.

NOES—None.

Resolution ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE

SECOND READING OF SENATE BILLS

Senate Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by amending Section 14 of Article I thereof, relating to the rights of private property.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 2 of the printed measure, as amended in the Senate on February 6, 1946, strike out lines 3 to 5, inclusive, and insert "immediate possession and use of any right of way, or lands to be used for reservoir purposes, or lands to be used for public buildings, institutions, prisons or reformatories, required for a public use whether the".

Amendment read and adopted.

Resolution ordered printed, engrossed, and to third reading.

Senate Bill No. 91—An act to add Section 28 to the Civil Code, relating to contract and property rights of persons under the age of 21 years.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 110—An act to add Section 6.1 to the Alcoholic Beverage Control Act, relating to veterans' organizations and providing for the issuance of on-sale distilled spirits licenses to such organizations.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

Amendment No. 1

On page 1, line 6, of the printed bill, after "year," insert "and which is the owner, lessee or occupant of an establishment operated for any such purpose,".

Amendment No. 2

On page 1, line 16, of said bill, after "beverages", insert "for consumption within the licensed establishment".

Amendment No. 3

On page 1, line 17, of said bill, strike out "organizations", and insert "organization".

Amendment No. 4

On page 1, line 19, of said bill, strike out "The provisions of Section"; and strike out line 20.

Amendments read and adopted.

Further Amendments to Senate Bill No. 110

Motion to Amend

Senator Seawell moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 3, of the printed bill, after "Any", insert "post, chapter, camp or other local unit of an".

Amendment No. 2

On page 1, line 9, of said bill, after "such", insert "local unit of an".

Amendments read and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 79—An act to add Section 1247.5 to the Code of Civil Procedure, relating to eminent domain.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 2 of the printed bill, as amended in the Senate on January 25, 1946, between lines 27 and 28, insert "Neither the deposit nor the withdrawal of the whole or any portion thereof shall deprive the plaintiff of its right to appeal."

Amendment read and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 108—An act to amend Sections 4452, 4453 and 4458 of the Labor Code and to repeal Section 4460 of the Labor Code, relating to workmen's compensation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Labor:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "Sections 4452, 4453 and 4458 of the Labor Code and to repeal".

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets:

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 25, inclusive; and on page 2, strike out lines 1 to 39, inclusive, and insert

"SECTION 1. Section 4460 of the Labor Code is hereby amended to read:

4460. For the purpose of computing the temporary *or permanent* disability indemnity payable to any employee, including "volunteer firemen" as defined in Section 3361, who sustains an original injury causing temporary *or permanent* disability during the time that this section is in force and effect, the maximum average weekly earnings shall be taken at forty-six dollars and sixteen cents ($46.16).

Every computation made pursuant to this section shall be made only with reference to temporary *disability or such permanent* disability as is *hereafter* sustained and exists during the time that this section is in force and effect, *provided, however, that all rights presently existing under this section shall be continued in force.*

This section shall remain in effect until the ninety-first day after final adjournment of the Fifty-seventh Regular Session of the Legislature [or until the cessation of hostilities in all wars in which the United States is now engaged, whichever first occurs]. While this section is in effect it shall supersede any existing provisions of law which are in conflict with this section; but such provisions are not repealed by this section and after this section is no longer effective shall have the same force as though this section had not been enacted."

Amendments read and adopted.

Bill ordered printed, engrossed, and to third reading.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 121—An act authorizing The Regents of the University of California to issue and sell bonds to provide funds for the acquisition, of real property, and for the erection, equipping, and furnishing thereon, or upon other real property owned by the said Regents of the University of California, of dormitories or other housing facilities for the use of students or employees of the University of California, declaring the urgency thereof, and to provide that this act shall take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 117—An act to add Section 6076.5 to the Business and Professions Code, relating to veterans who are members of the State Bar.

Bill read second time, and ordered to third reading.

Assembly Bill No. 144—An act to amend Section 1 of an act entitled "An act relating to public officers, deputies, assistants, and employees, and their return to public service," approved May 31, 1943, relating to the return of public officers and employees from military service and reentry into their offices and positions, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

THIRD READING OF SENATE BILLS

Senate Bill No. 14—An act making an appropriation to the State Fire Marshal to carry out the provisions of Chapters 727 and 728, Statutes of 1945, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Collier, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Judah, Keating, Mayo, McCormack, Mixter, Powers, Quinn, Seawell, Slater, Sutton, Swing, Tenney, Ward, and Weybret—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 84—An act making an appropriation for investigation, survey and report concerning construction and operation of public works for the control and utilization of the flood waters of Caliente Creek, Kern County, and its tributaries, an urgency measure to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Biggar, Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Judah, Keating, Mayo, McBride, Mixter, Powers, Quinn, Seawell, Slater, Sutton, Swing, Tenney, Ward, and Weybret—31.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Judah, Keating, Mayo, McBride, McCormack, Mixter, Powers, Quinn, Seawell, Slater, Sutton, Swing, Tenney, Ward, and Weybret—33.
NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 102—An act to provide for participation by the State of California in the celebration to be held at Monterey commemorating the raising of the American Flag by Commodore Sloat, creating a commission therefor, and making appropriation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Judah, Keating, Mayo, McBride, McCormack, Mixter, Powers, Quinn, Salsman, Seawell, Slater, Sutton, Swing, Tenney, Ward, and Weybret—33.
NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 103—An act to provide for participation by the State of California in a celebration to be held at Sonoma commemorating the raising of the Bear Flag of the California Republic, creating a commission therefor, and making an appropriation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Fletcher, Gordon, Hatfield, Hulse, Judah, Keating, Mayo, McBride, McCormack, Mixter, Powers, Quinn, Salsman, Seawell, Slater, Sutton, Swing, Tenney, Ward, and Weybret—31.
NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 76—An act making an additional appropriation for legislative printing, binding, etc., to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Judah, Keating, Mayo, McBride, McCormack, Mixter, Powers, Quinn, Rich, Salsman, Seawell, Slater, Sutton, Swing, Tenney, Ward, and Weybret—34.
NOES—None.

Bill ordered transmitted to the Assembly.

RECESS

At 2.47 p.m., on motion of Senator Seawell, the Senate recessed to hear the remarks of Colonel Buron Fitts, former Lieutenant Governor of the State of California.

REASSEMBLED

At 2.52 p.m., the Senate reconvened.

Hon. Frederick F. Houser, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 77—An act augmenting the appropriation to the California Veterans' Commission for support, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Judah, Keating, Mayo, McBride, McCormack, Mixter, Quinn, Rich, Salsman, Seawell, Slater, Sutton, Swing, Tenney, Ward, and Weybret—33.

NOES—None.

Bill ordered transmitted to the Assembly.

REQUEST FOR UNANIMOUS CONSENT

Senator Dillinger asked for, and was granted, unanimous consent to take up Senate Resolution No. 27, at this time, for consideration.

CONSIDERATION OF SENATE RESOLUTION NO. 27

Senate Resolution No. 27

WHEREAS, The week from February 8th to 14th is Boy Scout Week, and marks the Thirty-sixth Anniversary of the founding of this great youth and character building organization; and

WHEREAS, Our youth is by far the greatest asset that we have. All the wealth in our treasuries, all the millions in our vaults, all the gold in our hills, is not worth one cent if we fail in the building of our boys—the men of tomorrow; and

WHEREAS, The training of our boys into fine manhood and good citizenship is the greatest responsibility before us; therefore, be it

Resolved, That when we do this day adjourn, that we do so in commemoration of the founding of this great organization—The Boy Scouts of America, in recognition of the good work, both of the paid personnel and of the large number of volunteer personnel who gave freely and unselfishly of their talents, time, money and interest for the good of our future manhood, and with a firm resolve to bend every effort ourselves toward the solution of our youth problems that are of such vital interest to all of us.

Resolution read, and on motion of Senator Dillinger, adopted.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 98—An act making an appropriation for the support of the Department of Veterans Affairs.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Fletcher, Gordon, Hatfield,

Judah, Keating, Mayo, McBride, McCormack, Mixter, Quinn, Rich, Salsman, Seawell, Slater, Sutton, Swing, Tenney, Ward, and Weybret—32.
NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 106—An act making an appropriation for the contingent expenses of the Senate, including expenses of committees, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hulse, Judah, Keating, Mayo, McBride, McCormack, Mixter, Rich, Salsman, Seawell, Slater, Sutton, Swing, Tenney, Ward, and Weybret—31.
NOES—None.

Bill ordered transmitted to the Assembly.

Senate Joint Resolution No. 5—Relative to memorializing the Congress of the United States, the National Labor Relations Board, and the United States Conciliation Service, relative to the settlement of a jurisdictional labor dispute between the CIO Food, Tobacco, Agricultural, and Allied Workers' Union of America, and the American Federation of Labor Cannery Workers' Union, affiliated with the International Teamsters' Union.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Brown, Burns, Carter, Collier, Crittenden, Cunningham, Desmond, Deuel, Donnelly, Fletcher, Gordon, Hatfield, Hulse, Judah, Keating, Mayo, McBride, McCormack, Mixter, Quinn, Rich, Salsman, Seawell, Slater, Sutton, Swing, Tenney, Ward, and Weybret—30.
NOES—None.

Resolution ordered transmitted to the Assembly.

Chief Assistant Secretary Cleve V. Taylor at the Desk

CONSIDERATION OF SPECIAL ORDER

The hour of 3 p.m. having arrived, Senate Bill No. 41 was taken up.

Senate Bill No. 41—An act making an appropriation for projects for flood control in this State, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Motion to Amend

Senator Crittenden moved the adoption of the following amendments:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Senate on February 4, 1946, after "State," insert "creating a special fund in the State Treasury for such projects, and making other provision for such projects,".

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. In pursuance of the policy declared in The State Water Resources Act of 1945, the Legislature finds a State interest in assuming the cost of cooperation by the State with the United States in the construction of projects for flood control to the extent provided in said act. The Legislature by this act undertakes to set aside and authorize the expenditure of funds with which the State may participate in the construction of flood control works and projects. While money is made available for expenditure by this act for only two plans and projects adopted and authorized by The State Water Resources Act of 1945, to the extent for which Federal funds have already been made available for construction, the Legislature does

so with the intention that from time to time by law allocations from the Flood Control Fund of 1946, created by this act, will be made to pay for the cost of all lands, easements, and rights of way necessary for the construction of flood control projects heretofore adopted and authorized by the Legislature and also those hereafter adopted and authorized by the Congress of the United States, recommended by the State Water Resources Board, and approved by the Legislature, in the order in which the Congress makes available funds for their construction.

SEC. 2. As used in this act, "public agency" means any State agency, county, city and county, city, or district of the State, except the State Water Resources Board.

SEC. 3. As used in this act, "flood control project" means any project heretofore or hereafter adopted and authorized by the Congress requiring local cooperation for flood control purposes.

SEC. 4. When the United States hereafter makes funds available for the construction of any flood control project either adopted and authorized by The State Water Resources Act of 1945 or by subsequent legislation, any public agency affected may request the State Water Resources Board to investigate and report to the Legislature as to the date State funds should be allocated to pay the cost of cooperation by the State with the United States for such project and the estimated amount thereof; provided, that no money in the Flood Control Fund of 1946 shall be made available for the purchase of lands, easements, and rights of way necessary for multiple purpose dams or reservoirs constructed by the United States, except that this shall not apply to the projects on the Fresno and Merced County Stream Groups.

SEC. 5. As to projects other than those approved and authorized by the Legislature, the State Water Resources Board shall proceed to make its determination in the manner provided by The State Water Resources Act of 1945.

SEC. 6. The Flood Control Fund of 1946 is hereby created as a special fund in the State Treasury, the moneys, securities, and increment of which shall be held in trust by the State Treasurer for the purposes for which appropriated, to be made available for expenditure (1) when allocated by future legislation to pay the cost of cooperation by the State with the United States in the construction of projects for flood control or (2) as otherwise provided in this act.

SEC. 7. The Flood Control Fund of 1946 shall consist of:

(a) Such appropriations as the Legislature from time to time makes to the fund, including the appropriation made by this act.

(b) All securities acquired by and from the use of moneys of the fund, together with all increment directly or indirectly resulting from such securities.

SEC. 8. The State Treasurer with the approval of the Director of Finance shall cause all moneys in the fund which are in excess of current requirements to be invested and reinvested, from time to time, in securities described in Sections 16430, 16431, and 16432 of the Government Code, and such securities may be sold or exchanged by the State Treasurer with the approval of the Director of Finance if in their opinion such sale or exchange is in the best interests of the State in effectuating the purposes of this act.

SEC. 9. The sum of thirty-two million two hundred fifty thousand dollars ($32,250,000), of which sum twenty-five million dollars ($25,000,000) shall be payable out of the Postwar Employment Reserve in the State Treasury and seven million two hundred fifty thousand dollars ($7,250,000) shall be payable out of any money in the State Treasury not otherwise appropriated, together with all of the assets at any time in the Flood Control Fund of 1946, are hereby appropriated for projects for flood control.

Said sum shall be retained in the State Treasury in the Flood Control Fund of 1946 and may be made available from said fund for expenditure for the purposes for which appropriated only as provided in this act or as allocated by future legislation.

This appropriation shall be available for expenditure without regard to fiscal years and shall not be subject to the provisions of Section 16304 of the Government Code.

SEC. 10. Except where the cooperation required by the United States, in addition to the costs of all lands, easements, and rights of way, has heretofore been authorized to be assumed by the State, the State Water Resources Board shall allocate no funds herein made available to it for allocation for expenditure for any project for which the Reclamation Board is directed to give assurances to the United States unless and until a public agency other than the Reclamation Board has either assumed the obligations of maintenance and holding the United States harmless from damages due to the construction works directly with the United States or has by binding agreement with the Reclamation Board agreed to assume such obligations and to hold the State and the Reclamation Board harmless from any claims therefor.

SEC. 11. The money herein made available for allocation by the State Water Resources Board shall be allocated to public agencies upon order of the State Water Resources Board after application therefor has been made to it by such public agencies or by the showing that such public agencies have made necessary advances or incurred obligations for the purpose of expediting the projects described in Sections 13 and 14 of this act and giving such other information as it may require. Expenditures of such sums shall be reported to the State Water Resources Board as and when required by it. Such reports shall give such information as it may require. The State Water Resources Board may refuse to make any order for the allocation of any of said funds

if the provisions of this act are violated. The board shall render a report to the Legislature within 15 days after the commencement of each regular session thereof respecting the expenditure of money made available for expenditure herein.

SEC. 12. The money herein made available for allocation by the State Water Resources Board is made available pursuant to the State Water Resources Act of 1945 and is, to the extent of the moneys so made available, in fulfillment of the policy set forth in said act that the State will pay for such cost of cooperation as provided in said act necessary for the construction of flood control projects, as required by acts of Congress.

SEC. 13. Of the money in the Flood Control Fund of 1946, not more than two hundred ten thousand dollars ($210,000) is hereby made available to the State Water Resources Board for allocation to the Reclamation Board for expenditure for payment of the cost of cooperation by the State for construction of the project for the Fresno County Stream Group approved and authorized by Congress (Act of Congress, approved August 18, 1941, Public, Numbered 228, Seventy-seventh Congress, First Session).

SEC. 14. Of the money in the Flood Control Fund of 1946, not more than two hundred thirty-five thousand dollars ($235,000) is hereby made available to the State Water Resources Board for allocation to the Los Angeles County Flood Control District for expenditure for payment of the cost of cooperation by the State for construction of the project for control of floods on the Los Angeles and San Gabriel Rivers and Ballona Creek approved and authorized by Congress (Act of Congress approved August 18, 1941, Public, Numbered 228, Seventy seventh Congress, First Session and Act of Congress approved December 22, 1944, Public, Numbered 534, Seventy-eighth Congress, Second Session).

SEC. 15. Of the money in the Flood Control Fund of 1946, not more than two hundred fifty thousand dollars ($250,000) is hereby made available to the Department of Public Works for expenditure only for the purpose of surveying flood control projects required for the mountainous areas of this State, including present sources of water supply and the present means of controlling the same for such areas, and reporting to the Legislature thereon.

SEC. 16. This act shall be known and may be cited as the Flood Control Fund Act of 1946.

SEC. 17. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

It is anticipated that the Federal Government in the very near future will be prepared to commence work on the projects for which money is made available for expenditure herein. It is necessary that money be so made available to pay the State's share for the cost of cooperation in the construction of the projects at the earliest possible time, in order that persons and property may be protected from destructive floods in the areas involved."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 21, inclusive; and strike out all of pages 2 to 4, inclusive.

Amendments read and adopted.

Bill ordered printed, re-engrossed, and to third reading.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 56
Senate Bill No. 70
Senate Bill No. 88

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

Above bills ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

Senate Bill No. 100

And respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By HAROLD F. LEWRIGHT, Assistant Clerk

Above bill ordered to unfinished business file.

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day respectfully refused to concur in Senate amendments to:

Assembly Bill No. 59—An act to amend Section 4711 of the Health and Safety Code, relating to county sanitation districts, declaring the urgency thereof, to take effect immediately;

And appointed Messrs. Beck, Rosenthal, and Evans as a Committee on Conference to meet a like Committee from the Senate.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

REPORTS OF STANDING COMMITTEES

Committee on Military and Veterans Affairs

SENATE CHAMBER, SACRAMENTO, February 8, 1946

MR. PRESIDENT: Your Committee on Military and Veterans Affairs, to which was referred:

Senate Bill No. 113

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 6; absent 3.

QUINN, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, February 8, 1946

MR. PRESIDENT: Your Committee on Military and Veterans Affairs, to which was referred:

Senate Bill No. 114

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 6; absent 3.

QUINN, Chairman

Above reported bill ordered to second reading.

Committee on Rules

SENATE CHAMBER, SACRAMENTO, February 11, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Assembly Joint Resolution No. 20

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

Above reported resolution ordered to third reading.

RESOLUTIONS

The following resolution was offered:

By Senator Shelley:

Senate Resolution No. 29

Relative to printing additional copies of the Constitution of California as a public document

WHEREAS, The Senate of the State of California has heretofore provided for the compilation and publication of the Constitution of the State of California and of the United States and Other Documents for public distribution, primarily for the benefit of students; and

WHEREAS, Thousands of lawyer veterans are returning to California after service in the armed forces, many of whom are participating or will patricipate in the Law Refresher and Retraining Program that is being conducted by the State Bar of California and will find need for copies of the Constitution of California in connection therewith; now, therefore, be it

Resolved by the Senate of the State of California, That the Secretary of the Senate is instructed to have printed such an additional number of copies of the Constitution of the State of California and Other Documents as may be necessary, not exceeding

2,500 copies, for distribution as a public document, the cost thereof to be a charge against funds available for legislative printing.

Resolution read, and referred to Committee on Rules.

THE FOLLOWING PROPOSED BILLS WERE READ, AND REFERRED TO COMMITTEE ON RULES

By Senator Shelley—An act to amend Section 9102 of the Government Code, relating to the salaries of employees in the legislative offices, declaring the urgency hereof, to take effect immediately.

ADJOURNMENT

At 4.10 p.m., on motion of Senator Seawell, the President declared the Senate adjourned until 10.30 a.m., Tuesday, February 12, 1946, in commemoration of the founding of the Boy Scouts of America.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-SIXTH (FIRST EXTRAORDINARY) SESSION

SENATE DAILY JOURNAL

TWENTY-SEVENTH LEGISLATIVE DAY

THIRTY-SEVENTH CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO
Tuesday, February 12, 1946

The Senate met at 10.30 a.m.

Hon. Frederick F. Houser, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Biggar, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Judah, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—37.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Dr. Clarence A. Kircher.

LEAVES OF ABSENCE FOR THE DAY

The following Senator was granted leave of absence for the day:

Senator Jespersen, on motion of Senator DeLap, due to illness in family.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Dilworth, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Grace Howard, Secretary in the Office of the Department of California Veterans of Foreign Wars, of San Francisco.

On request of Senator Seawell, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Barbara Lee of Station KPO, San Francisco.

On request of Senator Biggar, the privilege of the floor of the Senate Chamber for this day was unanimously extended to former Lieutenant Governor, now Congressman Ellis E. Patterson of Los Angeles.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Cpl. C. N. Marsteller of Torrance.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, February 12, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 41
Senate Bill No. 79
Senate Bill No. 108
Senate Bill No. 110
Senate Constitutional Amendment No. 2

And reports the same correctly engrossed.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, February 11, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 31—An act making an appropriation to meet a deficiency in the appropriation contained in Chapter 1208, Statutes of 1941, for construction of a dam and pertinent works to impound the waters of Rector Creek in Napa County, to take effect immediately;

Senate Bill No. 60—An act to make an appropriation to the Vocational Education Fund for an apprenticeship training program for veterans, declaring the urgency of the act to take effect immediately;

Senate Bill No. 71—An act to amend Section 2 of an act entitled "An act to add Article 7, consisting of Sections 997, 997.1, 997.2, 997.3, 997.4, 997.5 and 997.6 to Chapter 6 of Division 4 of the Military and Veterans Code, relating to aid to veterans of World War II through cooperation with the United States or agencies thereof and of this State in making Federal lands available and suitable for settlement by such veterans," approved June 25, 1945, relating to cooperation with the United States in settling veterans on Federal lands;

And reports that the same have been correctly enrolled, and presented to the Governor on the eleventh day of February, 1946, at 4 p.m.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, February 11, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 5—An act making an appropriation for the acquisition of land for State forests;

Senate Bill No. 15—An act amending Section 634 of the Welfare and Institutions Code, relating to the appointment and tenure of office of probation officers, assistant probation officers, deputy probation officers and of superintendents, matrons and other employees of detention homes;

Senate Bill No. 21—An act making an appropriation to the Veterans' Welfare Board for the purpose of providing educational assistance for veterans;

Senate Bill No. 24—An act to authorize the Department of Finance to acquire surplus property from the United States for the purpose of furnishing housing facilities for veterans attending universities and colleges and making an appropriation;

Senate Bill No. 27—An act making an appropriation for the construction of a women's dormitory at the Veterans' Home of California;

And reports that the same have been correctly enrolled, and presented to the Governor on the eleventh day of February, 1946, at 4 p.m.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, February 11, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Joint Resolution No. 7—Relative to veterans hospital facilities in California;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the eleventh day of February, 1946, at 4 p.m.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, February 11, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 91

And reports the same correctly engrossed.

SEAWELL, Chairman

Committee on Natural Resources

SENATE CHAMBER, SACRAMENTO, February 11, 1946

MR. PRESIDENT: Your Committee on Natural Resources, to which was referred:

Assembly Bill No. 148

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 9; committee vote: Ayes 6; absent 3.

FLETCHER, Chairman

Above reported bill re-referred to Committee on Finance.

Committee on Water Resources

SENATE CHAMBER, SACRAMENTO, February 11, 1946

MR. PRESIDENT: Your Committee on Water Resources, to which was referred:

Senate Bill No. 116

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 9; committee vote: Ayes 5; absent 4.

HULSE, Vice Chairman

Above reported bill re-referred to Committee on Finance.

Committee on Finance

SENATE CHAMBER, SACRAMENTO, February 11, 1946

MR. PRESIDENT: Your Committee on Finance, to which was referred:

Senate Bill No. 37

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 11; committee vote: Ayes 9; absent 2.

RICH, Chairman

Above reported bill ordered to second reading.

MOTION TO ADOPT COMMITTEE AMENDMENTS

Senator DeLap moved that Senate Bill No. 37 be taken up, at this time, for the purpose of adopting the committee amendments.

Motion carried.

THIRD READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 37—An act to provide a unified program of construction, improvement, and equipment for State agencies, creating a State Public Works Board, and making an appropriation to carry out the provisions of this act.

Bill read third time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance:

Amendment No. 1

On page 19, line 16, of the printed bill, as amended in the Senate on February 8, 1946, strike out "$5,000,000", and insert "$4,942,500".

Amendment No. 2

On page 19, line 21, of said bill, after "activity", insert "other than housing for persons".

Amendment No. 3

On page 20, line 7, of said bill, strike out "typical".

Amendment No. 4

On page 20, line 18, of said bill, after "shall", insert ", subject to approval of the State Board of Control,".

Amendment No. 5

On page 20, line 20, of said bill, after "policy", insert "as to allowable cost to the State of such residences".

Amendment No. 6

On page 20, line 34, of said bill, strike out "funds to"; and strike out line 35 of said bill, and insert "General Fund".

Amendment No. 7

On page 20, line 47, of said bill, after "contract", insert ", work order".

Amendment No. 8

On page 20, line 47, of said bill, after "order", insert ", the balance remaining unencumbered in such allotment and in each work order".

Amendment No. 9

On page 20, line 48, of said bill, strike out "project," and insert "State agency for miscellaneous repairs, improvements, and equipment as listed in Section 6 of this act,".

Amendment No. 10

On page 21, line 11, of said bill, after "order", insert ", the balance remaining unencumbered in such allotment and in each work order".

Amendment No. 11

On page 21, line 11, of said bill, strike out "project." and insert "State agency for miscellaneous repairs, improvements, and equipment as listed in Section 6 of this act,".

Amendment No. 12

On page 21 of said bill, as amended, following line 17, insert

"SEC. 14. In calling for bids for the construction of public works and improvements under the provisions of this act the Director of Public Works in his discretion may waive the requirements of Sections 4100 to 4107, inclusive, of the Government Code."

Amendment No. 13

On page 3, line 40, of said bill, as amended, strike out "limitation", and insert "limitations".

Amendment No. 14

On page 19, line 25, of said bill, as amended, strike out "Fund".

Amendment No. 15

On page 20, line 31, of said bill, as amended, after "improvements", insert a comma and after "equipment", insert a comma.

Amendments read and adopted.

Motion to Print Senate Bill No. 37 with Rush Order

Senator Seawell moved that Senate Bill No. 37 be sent to print with a rush order.

Motion carried.

Motion to Set Special Order

Senator DeLap moved that Senate Bill No. 37 be made a special order of business for today, February 12, 1946, at 2.30 p.m.

Motion carried.

REPORTS OF STANDING COMMITTEES

Committee on Finance

SENATE CHAMBER, SACRAMENTO, February 11, 1946

MR. PRESIDENT: Your Committee on Finance, to which was referred:

Senate Bill No. 95

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 8; noes 1; absent 2.

RICH, Chairman

Above reported bill ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT

Senator Swing asked for, and was granted, unanimous consent to have Senate Bill No. 95 given a second reading, at this time, for the purpose of adopting the committee amendments.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 95—An act making an appropriation to the Department of Finance for construction, improvements, and equipment, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance:

Amendment No. 1

On page 1, lines 5 and 6, of the printed bill, as amended in the Senate on January 30, 1946, strike out ", and that", and insert a period.

Amendment No. 2

On page 1, line 7, of said bill, strike out "should", and insert "shall".

Amendment No. 3

On page 1, line 13, of said bill, after the period, insert "The Fish and Game Commission shall continue the formulation and development of this comprehensive program and for that purpose shall make such studies and surveys as it may deem proper."

Amendment No. 4

On page 1, line 20, of said bill, strike out "six million dollars ($6,000,000.00)", and insert "five million, five hundred thousand dollars ($5,500,000.00)".

Amendment No. 5

On page 2 of said bill, strike out lines 4 and 5, and insert "a part of such comprehensive program that it shall include the projects set forth in this section. The amounts set forth opposite each separate project and the total amounts for the several classes of projects are estimates of cost. They do not constitute items of appropriation and are not limitations upon the expenditure of the appropriation made by this act, but are set forth herein as a guide for the Fish and Game Commission in establishing its policy in carrying out the provisions of this act."

Amendment No. 6

On page 3 of said bill, strike out lines 42 to 46, inclusive, and insert

"24. For stream improvement and construction of check dams in lakes and streams ..... 800,000.00".

Amendment No. 7

On page 3, line 47, of said bill, insert

"25a. Plumas or Sierra County, (New) Rearing Ponds, dwelling, garage, storage facilities, shop, equipment, etc. $30,000.00

25b. Mendocino County, Cedar Creek Hatchery Additional construction for hatchery and rearing ponds, (as proposed in Assembly Bill No. 26) ..... 100,000.00".

Amendment No. 8

On page 3, line 48, of said bill, strike out "$2,247,500.00", and insert "$3,077,500.00".

Amendment No. 9

On page 7 of said bill, strike out lines 39 to 50, inclusive, and insert

"Plus land acquisition as needed for above projects ..... $521,500.00".

Amendment No. 10

On page 8 of said bill, strike out lines 1 to 4, inclusive, and insert

"The Legislature hereby approves the inclusion of the projects set forth in this section as a part of the comprehensive plan provided for by this act. If the amount appropriated by Section 2 is insufficient or inadequate for the completion of the projects enumerated in this section and the studies and surveys necessary to carry out the provisions of this act, the Fish and Game Commission shall determine the priority

in which it shall conduct the work contemplated by this act and shall proceed with the completion of those projects which it determines to be the most urgent and beneficial to the conservation and development of the fish and game resources of the State. The Fish and Game Commission is authorized to acquire and construct additional similar projects in the event that the appropriation made by this act is adequate for that purpose."

Amendment No. 11

On page 8 of said bill, strike out lines 9 to 20, inclusive.

Amendments read and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

REPORTS OF STANDING COMMITTEES

Committee on Military and Veterans Affairs

SENATE CHAMBER, SACRAMENTO, February 12, 1946

MR. PRESIDENT: Your Committee on Military and Veterans Affairs, to which was referred:

Assembly Bill No. 111

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 5; absent 4.

QUINN, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, February 12, 1946

MR. PRESIDENT: Your Committee on Military and Veterans Affairs, to which was referred:

Senate Bill No. 117

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 9; committee vote: Ayes 5; absent 4.

QUINN, Chairman

Above reported bill re-referred to Committee on Finance.

RESOLUTIONS

The following resolution was offered:

By the Committee on Rules:

Senate Resolution No. 30

Resolved, That the Controller be and he is hereby ordered and directed to draw his warrant from the Contingent Fund of the Senate in the sum of one thousand seven hundred eighty-one and 46/100 dollars ($1,781.46) in favor of the Secretary of the Senate to pay the bills and for the purposes set forth below, and the Treasurer is directed to pay the same:

Recorder Printing & Publishing Company	$525 31
Navlet—Florist	47 64
Pacific Telephone and Telegraph Company	153 50
Western Union	81 36
State Bureau of Purchases	136 17
Cascade Towel Supply	14 50
Postage	250 00
Bancroft-Whitney Company	572 98
	$1,781 46

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Mayo, McBride, McCormack, Mixter, Powers, Quinn, Rich, Salsman, Seawell, Slater, Swing, Tenney, and Ward—29.

NOES—None.

MOTION TO TAKE BILL FROM THE INACTIVE FILE

Senator Tenney moved that Senate Joint Resolution No. 3 be taken from the inactive file, and placed on the second reading file.

Motion carried.

REPORTS OF STANDING COMMITTEES

APPOINTMENT OF COMMITTEE ON CONFERENCE

SENATE CHAMBER, February 12, 1946

MR. PRESIDENT: Your Committee on Rules announces the appointment of Senators Carter, Parkman, and Salsman as a Senate Committee on Conference concerning Assembly Bill No. 59 to meet a like committee of the Assembly.

SENATE COMMITTEE ON RULES
SEAWELL, Chairman

CONSIDERATION OF DAILY FILE

UNFINISHED BUSINESS

Consideration of Assembly Amendments

Senate Bill No. 100—An act to add Sections 3211.9, 3211.91, 3211.92, 3211.93, and 3352.94 to, and Chapter 10.5 comprising Sections 4351 to 4386, inclusive, to Part 1 of Division 4 of the Labor Code, and to add Article 10.7 to Chapter 1 of Division 7 of the Military and Veterans Code, relating to the furnishing of workmen's compensation benefits to disaster service workers, including the limiting of the liability of the State of California, counties, cities, and disaster councils for injuires arising out of and occurring in the course of activities as a disaster service worker, authorizing the California State Disaster Council to certify disaster councils and to make rules and regulations for the classifying and registering of disaster service workers, providing for the State Compensation Insurance Fund to act as adjusting agent, and making an appropriation for the furnishing of workmen's compensation benefits, to take effect immediately.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Bill No. 100?

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Senate on February 4, 1946, strike out "3211.94", and insert "3352.94".

Amendment No. 2

On page 2, line 19, of the printed bill, as amended in the Senate on February 7, 1946, strike out the period, and insert a comma and "including training necessary or proper to engage in such activities."

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 100 by the following vote:

AYES—Senators Biggar, Brown, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Keating, Mayo, McBride, McCormack, Mixter, Powers, Rich, Salsman, Seawell, Slater, Sutton, Swing, Tenney, Ward, and Weybret—30.

NOES—None.

Above bill ordered enrolled.

SECOND READING OF SENATE BILLS

Senate Bill No. 118—An act making an appropriation to the Department of Public Works, Division of Water Resources, for repair and restoration of a bridge damaged by storm and flood, declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 113—An act to amend Section 1262 of, and to add Section 1263 to, the Military and Veterans' Code, relating to county and city buildings for veterans' associations.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 114—An act to amend Section 1262 of the Military and Veterans Code, relating to memorial buildings.

Bill read second time, ordered engrossed, and to third reading.

MOTION TO RE-REFER SENATE BILL NO. 118

Senator Seawell moved that Senate Bill No. 118 be re-referred to Committee on Finance.

Motion carried.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 26—An act making an appropriation to the Division of Fish and Game, Department of Natural Resources, for construction, improvements, repairs and equipment, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, lines 3 and 4, of the printed bill, as amended, strike out "eight hundred thirty-two thousand five hundred dollars ($832,500)", and insert "six hundred sixty-seven thousand five hundred dollars ($667,500)".

Amendment No. 2

On page 1 of said bill, strike out lines 7 to 17, inclusive.

Amendments read and adopted.

Further Amendment to Assembly Bill No. 26

Motion to Amend

Senator Gordon moved the adoption of the following amendments:

Amendment No. 1

In lines 3 and 4 of the title of the printed bill, strike out ", to take effect immediately".

Amendment No. 2

On page 1 of said bill, strike out lines 18 to 21, inclusive.

Amendments read and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

Assembly Bill No. 51—An act making an appropriation to the Division of Forestry, Department of Natural Resources, for construction,

improvements and equipment, declaring the urgency of this act, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 99—An act making an appropriation to the Reclamation Board for the payment of the cost of the project for the Fresno County stream group for flood control.

Bill read second time, and ordered to third reading.

MOTION TO RE-REFER ASSEMBLY BILLS NOS. 51 AND 99

Senator Seawell moved that Assembly Bills Nos. 51 and 99 be re-referred to Committee on Finance.

Motion carried.

Chief Assistant Secretary Cleve V. Taylor at the Desk

THIRD READING OF SENATE BILLS

Senate Bill No. 89—An act relating to airports, creating a Division of Airports in the Department of Public Works, with a Chief of the Division of Airports therein, prescribing his powers and duties with respect to all airports in this State, amending Section 14005 of the Government Code, and making an appropriation therefor.

Bill read third time.

Previous Question

Senator Fletcher moved the previous question.

Motion carried.

The question being on final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Senators Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Fletcher, Gordon, Hatfield, Hulse, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Ward, and Weybret—30.

NOES—None.

Bill ordered transmitted to the Assembly.

RECESS

At 11.22 a.m., on motion of Senator Biggar, the Senate recessed to hear the remarks of Congressman Ellis E. Patterson, former Lieutenant Governor of the State of California.

REASSEMBLED

At 11.27 a.m., the Senate reconvened.

Hon. Frederick F. Houser, President of the Senate, presiding.

Chief Assistant Secretary Cleve V. Taylor at the desk.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 87—An act providing for school district public works and making an appropriation therefor.

Bill read third time.

Motion to Amend

Senator Sutton moved the adoption of the following amendment:

Amendment No. 1

On page 2 between lines 42 and 43, of the printed bill, as amended in the Senate on February 4, 1946, insert

If any school district by reason of fire, earthquake, or other disaster suffers or has suffered a loss of 20 per cent or more of its school plant value in excess of any insurance recovered, the State School Building Commission may determine that it is qualified as a distressed school district for apportionment of funds under this act without being required to comply with the provisions of (2) and (3) of this section. "Plant value" as used in this section means the cost of replacement."

Amendment read.

Roll Call Demanded

Senators DeLap, Hulse, and Dilworth demanded a roll call.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Senators Dilworth, Donnelly, Hulse, Mayo, Powers, Sutton, Swing, and Ward—8.

NOES—Senators Biggar, Brown, Burns, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dorsey, Fletcher, Gordon, Hatfield, Judah, Keating, McCormack, Parkman, Quinn, Rich, Seawell, Slater, Tenney, and Weybret—24.

Further Consideration of Senate Bill No. 87

Senate Bill No. 87—An act providing for school district public works and making an appropriation therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Judah, Keating, Mayo, McCormack, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Slater, Sutton, Swing, Tenney, Ward, and Weybret—32.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 41—An act making an appropriation for projects for flood control in this State, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Biggar, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Judah, Keating, Mayo, McCormack, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—35.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Judah, Keating, Mayo, McCormack, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—35.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 91—An act to add Section 28 to the Civil Code, relating to contract and property rights of persons under the age of 21 years.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Burns, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Judah, Keating, Mayo, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—33.
NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 110—An act to add Section 6.1 to the Alcoholic Beverage Control Act, relating to veterans' organizations and providing for the issuance of on-sale distilled spirits licenses to such organizations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Judah, Keating, Mayo, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Swing, Tenney, and Ward—31.
NOES—None.

Bill ordered transmitted to the Assembly.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 48
Senate Bill No. 61
Senate Bill No. 106

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

Above bills ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, February 12, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 113
Senate Bill No. 114

And reports the same correctly engrossed.

SEAWELL, Chairman

Committee on Judiciary

SENATE CHAMBER, SACRAMENTO, February 12, 1946

MR. PRESIDENT: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 66

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 12; committee vote: Ayes 9; absent 3.

KEATING, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, February 12, 1946

MR. PRESIDENT: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 127

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 12; committee vote: Ayes 7; absent 5.

KEATING, Chairman

Above reported bill ordered to second reading.

RECESS

At 12.27 p.m., on motion of Senator Seawell, the Senate recessed until 2.15 p.m.

REASSEMBLED

At 2.15 p.m., the Senate reconvened.

Hon. Frederick F. Houser, President of the Senate, presiding.

Chief Assistant Secretary Cleve V. Taylor at the desk.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 36—An act to amend Section 17704 of, and to add Section 17704.1 to, the Health and Safety Code, relating to apartment houses and hotel buildings.

Bill read third time, and presented by Senator Hatfield.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Burns, Carter, Collier, DeLap, Desmond, Dilworth, Fletcher, Gordon, Hatfield, Hulse, Mayo, McBride, Mixter, Parkman, Quinn, Rich, Salsman, Seawell, Slater, and Weybret—22.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 88—An act to provide for the making of a survey of the hospital and health center facilities and needs of the State and the development of a Program for the Construction of Hospitals, and Health Centers, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Weybret.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Biggar, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Fletcher, Gordon, Hatfield, Hulse, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Quinn, Rich, Salsman, Seawell, Slater, Sutton, Swing, and Weybret—29.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dilworth, Donnelly, Fletcher, Gordon, Hatfield, Hulse, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Quinn, Rich, Salsman, Seawell, Slater, Sutton, Swing, and Weybret—28.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 47—An act making an appropriation to The Regents of the University of California to meet the urgent building needs of the University of California, and in furtherance of the Building Program thereof.

Bill read third time, and presented by Senator DeLap.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Carter, Collier, Crittenden, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Slater, Sutton, Swing, Tenney, and Weybret—32.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 104—An act making an appropriation for student housing at the State colleges.

Bill read third time, and presented by Senator Salsman.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Carter, Collier, Crittenden, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Slater, Sutton, Swing, Tenney, and Weybret—31.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 52—An act to provide for the acquisition of temporary and emergency housing facilities for veterans and families of servicemen by joint action of the State and local agencies, providing for the operation of such facilities, making an appropriation, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Senator Sutton moved the adoption of the following amendment:

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on February 8, 1946, between lines 37 and 38, insert

"The Legislature hereby declares, that in making the appropriation provided by this act, it is its intention to provide temporary and emergency housing facilities for veterans and families of servicemen in rural communities where the need exists as well as in urban communities."

Amendment read and adopted.

Bill ordered printed, and to third reading.

Assembly Bill No. 28—An act to provide State assistance of local agencies for the control of mosquitoes, and making an appropriation therefor, to take effect immediately.

Bill read third time, and presented by Senator Rich.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Fletcher, Gordon, Hatfield, Hulse, Judah, Mayo, McBride, McCormack, Mixter, Parkman, Quinn, Rich, Salsman, Seawell, Slater, Sutton, Swing, Tenney, Ward, and Weybret—32.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Fletcher, Gordon, Hatfield, Hulse, Judah, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—35.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 41—An act making an appropriation for construction, improvements, repairs and equipment of State parks, Division of Beaches and Parks, Department of Natural Resources, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Fletcher.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Judah, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—33.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Burns, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Fletcher, Gordon, Hatfield, Hulse, Judah, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—31.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 42—An act making an appropriation for construction, improvements, repairs and equipment of State beaches, Division of Beaches and Parks, Department of Natural Resources, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Fletcher.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Biggar, Burns, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Fletcher, Gordon, Hatfield, Hulse, Judah, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—33.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Burns, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Fletcher, Gordon, Hatfield, Hulse, Judah, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—32.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 62—An act to make an appropriation to the Veterans' Welfare Board to carry out the provisions of Section 699.5 of the Military and Veterans Code.

Bill read third time.

Motion to Amend

Senator Quinn moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 18, of the printed bill, as amended in the Assembly on January 15, 1946, strike out "Ninety-fifth and Ninety-sixth", and insert "Ninety-seventh and Ninety-eighth".

Amendment read and adopted.

Bill ordered printed, and to third reading.

Assembly Bill No. 95—An act making an appropriation to the Department of Finance for construction, improvements, and equipment, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Shelley.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Biggar, Burns, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Judah, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Swing, Tenney, Ward, and Weybret—32.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Burns, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Judah, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Swing, Tenney, Ward, and Weybret—33.
NOES—None.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, February 12, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 37

And reports the same correctly engrossed.

SEAWELL, Chairman

CONSIDERATION OF SPECIAL ORDER

The hour of 2.30 p.m. having arrived, Senate Bill No. 37 was taken up.

Senate Bill No. 37—An act to provide a Unified Program of Construction, Improvement, and Equipment for State Agencies, creating a State Public Works Board, and making an appropriation to carry out the provisions of this act.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Judah, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—37.
NOES—None.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 100—An act making an additional appropriation for support of the Department of Motor Vehicles for the Ninety-seventh and Ninety-eighth Fiscal Years, to take effect immediately.

Bill read third time, and presented by Senator Swing.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Burns, Carter, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Fletcher, Gordon, Hatfield, Hulse, Judah, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—33.
NOES—None.

Bill ordered transmitted to the Assembly.

PROCLAMATION OF THE GOVERNOR

The President of the Senate directed the Secretary to read the Proclamation of the Governor.

Whereupon the Secretary read the following Proclamation:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA

Proclamation

WHEREAS, The Legislature of the State of California convened on January 7, 1946, in extraordinary session pursuant to my Proclamation dated January 2, 1946, and is now in session; and

WHEREAS, On account of extraordinary occasions which have arisen and now exist, it is deemed desirable and necessary to submit additional subjects to the Legislature for consideration; now, therefore,

I, EARL WARREN, Governor of the State of California, by virtue of the power vested in me by law, hereby amend and supplement my Proclamation dated January 2, 1946, by adding the following additional purposes thereto, and thereby permitting the Legislature to legislate upon the following subjects, in addition to the subjects specified in the original Proclamation and in the amendatory and supplemental Proclamation dated January 25, 1946:

68. To consider and act upon legislation to make the provisions of law applicable to commercial fishing in Fish and Game District 12B also applicable to such fishing in portions of Fish and Game District 12 in San Pablo Bay and Carquinez Straits.

69. To consider and act upon legislation relative to the options to make contributions to the State Employees' Retirement System granted to patrol members and warden members of the system by Sections 20602, 20602.1, 20602.5, and 20602.6 of the Government Code, and to extend the period for the exercise of those options.

70. To consider and act upon legislation relative to retirement allowances payable by the State Employees' Retirement System in cases of retirement for disability.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this twelfth day of February, 1946.

(Signed)

EARL WARREN
Governor of the State of California

[SEAL]
ATTEST: FRANK M. JORDAN, Secretary of State
By CHAS. J. HAGERTY, Deputy Secretary of State

THE FOLLOWING PROPOSED BILLS WERE READ, AND REFERRED TO COMMITTEE ON RULES

By Senators Dillinger, Seawell, Collier, Biggar, Deuel, Brown, and Mayo—Relative to encouraging the resumption of gold mining.

By Senator Shelley—An act to amend Section 303 of the Unemployment Insurance Act to make an appropriation to carry out the provisions

of Article 10 of said act, relating to unemployment compensation disability payments.

By Senator Shelley—An act creating the San Francisco Bay Region Public Works Board, defining its powers and duties and making an appropriation therefor.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following resolution was offered:

Senate Concurrent Resolution No. 18: By Senator Seawell—Relative to adjournment sine die of the Fifty-sixth (First Extraordinary) Session of the Legislature of the State of California.

Request for Unanimous Consent

Senator Seawell asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 18, at this time, for consideration.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 18

Senate Concurrent Resolution No. 18—Relative to adjournment sine die of the Fifty-sixth (First Extraordinary) Session of the Legislature of the State of California.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Brown, Burns, Carter, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Judah, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—33.
NOES—None.

Resolution ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 101—An act reappropriating the appropriation made by Item 187.2 of the "Budget Act of 1945," and making an additional appropriation for the support of the Department of Motor Vehicles in the Ninety-seventh and Ninety-eighth Fiscal Years, to take effect immediately.

Bill read third time, and presented by Senator Swing.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Judah, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—28.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 102—An act making an appropriation for additional support of the Department of Industrial Relations, to take effect immediately.

Bill read third time, and presented by Senator Shelley.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Dorsey, Fletcher, Gordon, Judah, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, and Ward—29.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 106—An act to amend Section 988.3 of the Military and Veterans Code, relating to funds of the Veterans' Welfare Board, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Quinn.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Brown, Burns, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Judah, Keating, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Tenney, and Ward—29.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Judah, Keating, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Tenney, and Ward—27.
NOES—None.

Bill ordered transmitted to the Assembly.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 62

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

Above bill ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, February 12, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 56—An act to amend Section 16 of an act entitled "An act making an appropriation for allocation to cities, counties, and cities and counties to develop a postwar public works program comprising the preparation of surveys and plans and specifications for proposed public works and the acquisition of rights of way and sites for major streets, roads, bridges, sewerage and other public facilities, and providing the procedure for making such allocations," approved June 20, 1944, relating to allocations by the State for the cost of acquisition of rights of way and sites for public works projects, and declaring the urgency thereof, to take effect immediately;

Senate Bill No. 70—An act making an appropriation to the Division of Beaches and Parks for the establishment and development of riders' and hikers' trails, declaring the urgency hereof, to take effect immediately;

Senate Bill No. 88—An act to add Sections 164.5 and 206.7 to the Welfare and Institutions Code, relating to reports concerning veterans in public institutions;

And reports that the same have been correctly enrolled, and presented to the Governor on the twelfth day of February, 1946, at 2 p.m.

SEAWELL, Chairman

MOTION TO PRINT IN JOURNAL

Senator Tenney moved that the following excerpt from the Hollywood Closeup be printed in the Journal:

Motion carried.

FROM THE HOLLYWOOD CLOSEUP
AN IATSE—INFORMATION BULLETIN
HOLLYWOOD, CALIFORNIA, February 1, 1946

Red Lawson Still Edits Quarterly

John Howard Lawson, one of the top Communistic figures in Hollywood literary circles, and a former associate editor of the New York official Communist daily, still is an editor of the Hollywood Quarterly, published by University of California Press, according to a press release this week.

Lawson's lengthy Communistic record was exposed in detail in reports of the Tenney Committee, which neither he nor the Communists EVER have attempted to refute, despite their persistent smear campaign against Tenney and his effective investigations of un-American activities.

ADJOURNMENT

At 3.51 p.m., on motion of Senator DeLap, the President declared the Senate adjourned until 10.30 a.m., Wednesday, February 13, 1946.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-SIXTH (FIRST EXTRAORDINARY) SESSION

SENATE DAILY JOURNAL

TWENTY-EIGHTH LEGISLATIVE DAY
THIRTY-EIGHTH CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO
Wednesday, February 13, 1946

The Senate met at 10.30 a.m.
Hon. Frederick F. Houser, President of the Senate, presiding.
Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—39.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Dr. Clarence A. Kircher.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Weybret, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Walter Rivers of Greeley, Nebraska.

On request of Lieutenant Governor Houser, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. W. M. Gilliland and Mrs. J. S. Van Alstyne of Sacramento.

On request of Senator Gordon, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Delmer B. Marshall, Superintendent of Schools, Elsie Hartwell, teacher, and the following eighth grade students of the Davis public school: George Allen Baker, Charlotte Banniger, Eloise Barlow, June Bauer, Janet Bunge, Helen Crafts, Donn Davis, Richard Donnell, Lois Edsall, Bob Edsall, Raymond Fimby, Hope Garcia, Katherine Guthrie, Peggy Hanna, Barbara Hickerson, David Hinshaw, Douglas Leach, Glenn Lucas, Lillian Machado, Richard Mead, Jerry Mello, Charles Muller, Alvin Nichols, Margaret Pedroia, Bobbe Rattenbury, Bruce Roessler, Jimmy Shierloh, Gilbert Villanueva, Germaine Walgenbach, Gordon Walker, Eugenia Wilson, Violet Young, and Peter Zuniga.

COMMUNICATIONS

The following communications were received, read, and ordered printed in the Journal:

TECHNICAL ENGINEERS UNION, LOCAL NO. 94
LOS ANGELES 13, CALIFORNIA, February 8, 1946

Honorable Members California State Legislature,
State Capitol Building, Sacramento, California

HONORABLE SIRS: Our organization has made a thorough and detailed study of the present methods and procedure of the State Board of Registration for Civil Engineers as related to the examinations for Civil Engineers, Licensed Land Surveyors and the "Title" of Structural Engineers, and the granting of Licenses and/or registration certificates as a result of the so-called "written and/or oral" examinations.

As a result of our research work we recommend that the procedure of this board be streamlined and modernized at once with the result that this "bottleneck" in the reconversion program will be eliminated at once and without further delay for obvious reasons. In this connection we make the following suggestions at this time:

1. That examinations be given *monthly* for all those who are eligible to be licensed or registered as Civil Engineers, Licensed Land Surveyors or have the "Title" of Structural Engineer, instead of once or twice per year—as suits the board.
2. That all written and oral examinations be given and conducted by an Examining Board of Registered Engineers, elected by all the Registered Engineers of California—instead of the system now used by the board with the discretionary and arbitrary rulings which are questionable as to merits relative to the members of the engineering profession.
3. That an independent investigation be made by your office for the benefit of the entire engineering profession and the Reconversion Program of our State and Nation.

Very truly yours,

TECHNICAL ENGINEERS, ARCHITECTS AND DRAFTMEN'S UNION, LOCAL NO. 94
By P. G. RIPPER, International Representative

CENTRAL COUNCIL OF CIVIC CLUBS
SAN FRANCISCO 25, CALIFORNIA, February 6, 1946

California State Legislature,
Sacramento, Calif.

GENTLEMEN: The central council respectfully requests that the State Legislature study the Reber Plan if and when it comes to your attention.

If an interim committee is appointed to study this plan, it is the earnest desire of the council to cooperate in every way to assure a full study of this plan.

We will appreciate being notified of any action taken in this regard.

Very truly yours,

FLORENCE DOUGLAS, Secretary
Central Council of Civic Clubs

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 37

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

Above bill ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended:

Senate Bill No. 45

And respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

Above bill ordered to unfinished business file.

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day refused to sustain the Governor's veto to:

Assembly Bill No. 60

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

OBJECTIONS OF THE GOVERNOR

The following veto message, from Governor Warren, transmitted with Assembly Bill No. 60 to the Assembly, stating his objections to Assembly Bill No. 60, was, at the request of Senator Rich, ordered read, and printed in the Journal.

To the Honorable Members of the Assembly
State of California, Sacramento, California

GREETINGS: I am returning herewith Assembly Bill No. 60 without my signature.

This bill diverts the $90,000,000 Postwar Unemployment and Construction Fund of the State to the use of cities and counties.

The bill divides this $90,000,000 in half, precisely as one would cut a melon. It then gives a $45,000,000 slice to the cities of the State, and a $45,000,000 slice to the counties of the State—not on any basis of the need of any particular city or county, but entirely according to an arbitrary formula based on population and road mileage.

In view of the known needs of our State, and particularly in view of the fact that our State is still growing, I find it difficult to understand the logic of the action which caused this bill, after five weeks of the special session, to be the first major bill to reach my desk. It arrives in solitary conspicuousness ahead of a long list of bills providing for State needs.

It is my sincere hope that you will further consider the importance to our State of the items which have been sidetracked by this bill, the magnitude of the financial problem it presents, and the danger of the precedent it creates.

I can not in good conscience sign Assembly Bill No. 60, and my reasons are as follows:

The bill inaugurates an entirely new spending policy in State Government. It appropriates for purposes which have not heretofore been accepted as the responsibility of the State. State financial history proves that such a precedent, once established, invariably opens the door to further demands and continuous expenditures.

The bill is obviously predicated on the assumption that because there is a war-created reserve now in the State Treasury, a division of the spoils is in order. It was enacted before any State needs were determined.

The bill disregards the fact that even within the restricted limits of the call of this special session, there have been introduced appropriation bills totalling $314,599,000, exclusive of the $90,000,000 gift to cities and counties. This tremendous total shows that the Members of the Legislature, themselves, recognize the need for additional State services. How many of these bills will be enacted, we do not know, because this is the first of any importance to come to final passage, but if those bills providing for State needs, added to this $90,000,000, would strain our current finances, I would be compelled, if I had first signed this bill, to veto or cut the appropriations for real State needs. This demonstrates the fallacy of any claim that there is in any true sense a surplus of State funds.

The bill inaugurates a policy under which State needs will forever have to compete with local government, on a log-rolling basis, for the State tax dollar.

The bill ignores the fact that since 1943, by Constitutional Amendment and legislative action, recurring State expenditures have been approved which add $138,220,000 to the State Biennial Budget. Of this amount, $114,500,000 will be for recurring subventions to local government.

The bill fails to recognize the difference between communities which have encountered financial difficulty and those which have not. By basing the distribution of funds on the 1940 Census, it fails to distinguish between communities whose population has been swollen by the war and those which have experienced a lesser growth during the past six years.

It is important to note that, although schools are listed in the bill as being within the range of permissible local projects, no school district is entitled to any of this money, and can not get any of it, unless the county government waives its claim and assigns some of the county share to the school district—a situation that will rarely occur.

The bill involves a departure from accepted local government responsibility for financing local projects through local taxation. Such a departure can safely be made only after a thorough study of our whole tax structure and a considered assumption of additional responsibilities by the State.

In returning this bill unsigned, I ask that you review recent financial history and consider the interrelationship of the following facts:

Under our present tax structure and at higher rates than those now in force, our State operated at a deficit for 10 years prior to the war. We have delayed improvements in our State institutions for 15 years. Our population has increased 57 per cent, or three and one-half million people, since 1930, and is continuing to increase. We have increased the amount of old-age pensions and aid to the needy blind. We have accepted increased responsibility for financing the public schools. We have assumed additional obligations in connection with teachers' retirement and State employees' retirement. We have raised the pay of our employees, and if the cost of living and outside salaries continue to go up, we will have to increase salaries further. We have assumed additional obligations in connection with tuberculosis control and other public health programs. We have declared a State policy of financial responsibility in connection with flood control. Veterans' programs are in the making which will involve large expenditures through the years.

I ask that you consider these commitments in their relation to the appropriations that you may make at this session of the Legislature, and future appropriations. I ask that you likewise consider them as items which will increase in total claims upon the State Treasury as our State grows. Recognizing the justification, the fairness and the priority of the ever mounting State claims upon the State tax dollar, I can not concede that the State is in a position to give away money, and I must decline to be a party to any such action.

Lastly, I am thoroughly convinced that the enactment of this bill into law would necessitate the increase of taxes at the next Session of the Legislature, or submission of a bond issue to the people of the State to provide funds for State needs.

Upon my insistence, State taxes have been reduced since 1943 to the extent of $225,000,000. We have also been able to provide for the retirement of all of the State's general indebtedness, and our State is now debt free for the first time in history. If the revenues that we now have are wisely spent, I am hopeful that we can continue this tax reduction. The enactment of this bill would make it impossible to do so.

Respectfully yours,

EARL WARREN, Governor

REQUEST FOR UNANIMOUS CONSENT

Senator Hatfield asked for, and was granted, unanimous consent to take up Assembly Bill No. 60, at this time, for consideration of the Governor's veto.

CONSIDERATION OF ASSEMBLY BILL NO. 60

Assembly Bill No. 60—An act making an appropriation for allocation to cities, counties, and cities and counties for the prevention or alleviation of unemployment through the construction of public works in which there is a State interest, and providing the procedure for making such allocations, and for assignment of such allocations.

CONSIDERATION OF GOVERNOR'S VETO

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 60 become a law notwithstanding the objections of the Governor?

The roll was called, and the Senate refused to sustain the objections of the Governor by the following vote:

AYES—Senators Biggar, Brown, Carter, Collier, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—35.

NOES—Senators Breed, DeLap, and Rich—3.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES

Committee on Agriculture

SENATE CHAMBER, SACRAMENTO, February 12, 1946

MR. PRESIDENT: Your Committee on Agriculture, to which were referred:

Assembly Bill No. 105
Assembly Bill No. 153

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 11; committee vote: Ayes 7; absent 4.

CRITTENDEN, Chairman

Above reported bills re-referred to Committee on Finance.

Committee on Institutions

SENATE CHAMBER, SACRAMENTO, February 12, 1946

MR. PRESIDENT: Your Committee on Institutions, to which was referred:

Assembly Bill No. 75

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 9; committee vote: Ayes 5; absent 4.

DORSEY, Vice Chairman

Above reported bill re-referred to Committee on Finance.

Committee on Governmental Efficiency

SENATE CHAMBER, SACRAMENTO, February 12, 1946

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which were referred:

Senate Bill No. 119
Assembly Bill No. 151

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 6; absent 5.

SWING, Chairman

Above reported bills ordered to second reading.

Committee on Labor

SENATE CHAMBER, SACRAMENTO, February 12, 1946

MR. PRESIDENT: Your Committee on Labor, to which was referred:

Assembly Bill No. 109

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 7; committee vote: Ayes 4; absent 3.

SHELLEY, Chairman

Above reported bill ordered to second reading.

RESOLUTIONS

The following resolution was offered:

By Senator Gordon:

Senate Resolution No. 31

Relating to creating a Senate Interim Committee to study and investigate the proposed construction of a dam on Putah Creek

WHEREAS, Proposals have been made that a dam be constructed on Putah Creek in Napa County for flood control and irrigation purposes; and

WHEREAS, Construction of such a public work may require an appropriation of State funds for expenditure in cooperation with local or Federal agencies, or both; and

WHEREAS, Before making such an appropriation, it is essential that the Legislature be fully informed as to the desirability and need for the construction of such a public

work, the most desirable location therefor, the economic effect thereof, and the most desirable method of financing the cost of construction thereof; now, therefore, be it

Resolved by the Senate of the State of California, as follows:

1. The Senate Committee on the Construction of Putah Creek Dam is hereby created and appointed and authorized and directed to ascertain, study and analyze all facts relating to the proposal to construct a dam on Putah Creek in Napa County, the desirability and need therefor, the most desirable location therefor, the economic advantages or disadvantages which may result therefrom, and the most desirable method of financing the cost thereof, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Senate, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of five members of the Senate appointed by the Committee on Rules thereof. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the next regular session, with authority to file its final report not later than the fifteenth legislative day of the next regular session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a chairman and a vice chairman from its membership.

(b) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(d) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of seven hundred fifty dollars ($750), or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to Committee on Rules.

THE FOLLOWING PROPOSED BILLS WERE READ, AND REFERRED TO COMMITTEE ON RULES

By Senator Judah—An act to amend Sections 21290, 21291, 21295, and 21298 of the Government Code, and to add Section 21297 thereto, relating to retirement allowances payable by the State Employees' Retirement System in cases of retirement for disability, and declaring the urgency thereof, to take effect immediately.

By Senator DeLap—An act to add Section 866 to the Fish and Game Code, relating to commercial fishing in portions of Fish and Game District 12.

By Senator Quinn—Relative to establishment of National parks.

By Senators Desmond, Rich, and Seawell—Relative to the permanent establishment of Camp Beale.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 111—An act relating to the rights of veterans to return to public office or employment upon release from the armed

services of the United States, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military and Veterans Affairs:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly on January 29, 1946, after "act" insert "to add Section 395.1 to the Military and Veterans Code and to repeal an act entitled "An act relating to public officers, deputies, assistants, and employees, and their return to public service," approved May 31, 1943,".

Amendment No. 2

On page 1 of said bill, strike out line 1 and insert
"SECTION 1. Section 395.1 is hereby added to the Military and Veterans Code to read:
"395.1. (a) Notwithstanding any other provision of law to".

Amendment No. 3

On page 1, line 17, of said bill, after the period insert "He shall also have a right to return to and reenter upon the office or position during terminal leave from the armed forces and prior to discharge or release therefrom."

Amendment No. 4

On page 1, line 18, of said bill, strike out "SEC. 2.", and insert "(b)".

Amendment No. 5

On page 1, line 22, of said bill, strike out the period and insert a semicolon, and "provided, however, such officer or employee shall not be entitled to sick leave, vacation or salary for the period during which he was on leave from such Governmental service and in the service of the armed forces of the United States."

Amendment No. 6

On page 2 of said bill, strike out lines 3 and 4 and insert
"(c) Any officer or employee other than a probationer who is restored to his office or employment pur-".

Amendment No. 7

On page 2, line 16, of said bill, strike out "SEC. 4.", and insert "SEC. 2."

Amendment No. 8

On page 2 of said bill, after line 32, insert
"SEC. 3. The act cited in the title hereof is hereby repealed."

Amendments read and adopted.

Bill ordered printed, and to third reading.

Assembly Bill No. 66—An act to add Section 6062.5 to the Business and Professions Code, relating to bar examinations of veterans.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on January 29, 1946, strike out "6062.5", and insert "6060.5".

Amendment No. 2

On page 1, line 1, of said bill, strike out "6062.5", and insert "6060.5".

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 18, inclusive, and insert
"6060.5. The provisions of subdivisions (d) and (h) of Section 6060 do not apply to any person who, after September 16, 1940, and prior to the termination of hos-

tilities between the United States and the Nations with which the United States is now at war as determined by Act of Congress or Proclamation of the President, has graduated from a law school accredited by the examining board and who after such graduation served in the armed forces of the United States before taking an examination for admission to the bar, nor to any person who, after September 16, 1940 satisfactorily completed at least two years of study at a law school then accredited by the examining board and whose legal education was thereafter interrupted by his service in the armed forces of the United States, and who subsequently graduates from a law school accredited by the examining board. The provisions of this section shall not apply to any person who enters the armed forces of the United States after the effective date of this section, nor to any person who at the time of entering the armed forces was not a bona fide resident of this State.

This section shall remain in effect until the ninety-first day after final adjournment of the Fifty-eighth Regular Session of the Legislature. While this section is in effect it shall supersede any existing provisions of law which are in conflict with this section; but such provisions are not repealed by this section and after this section is no longer effective shall have the same force as though this section had not been enacted."

Amendments read and adopted.

Bill ordered printed, and to third reading.

Assembly Bill No. 127—An act to amend Sections 2955 and 3014.5 of the Civil Code relating to trust receipts on aircraft.

Bill read second time, and ordered to third reading.

THIRD READING OF SENATE BILLS

Senate Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by amending Section 14 of Article I thereof, relating to the rights of private property.

Resolution read.

Motion to Amend

Senator Hatfield moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 7, of the printed measure, as amended in the Senate on February 11, 1946, strike out "or", and insert "required for a public use, and the State may take immediate possession and use of any".

Amendment No. 2

On page 2, line 9, of said measure, after "use", insert a comma.

Amendments read.

Previous Question

Senator Deuel moved the previous question.

Motion carried.

The question being on the adoption of the amendments by Senator Hatfield.

Roll Call Demanded

Senators Rich, Carter, and Jespersen demanded a roll call.

The roll was called, and the amendments adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Collier, Crittenden, Cunningham, Desmond, Deuel, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Seawell, Slater, Sutton, Swing, Tenney, Ward, and Weybret—31.

NOES—Senators Biggar, Carter, DeLap, Dillinger, Mayo, Rich, and Salsman—7.

Resolution ordered printed, re-engrossed, and to third reading.

WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 95

Senator Swing moved that Senate Bill No. 95 be withdrawn from Committee on Finance for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 95—An act to provide for a program of postwar acquisition, construction, improvement and equipment of property and facilities for the protection, propagation and preservation of fish and game, and to make an appropriation to carry out such program.

Bill read second time.

Motion to Amend

Senator Swing moved the adoption of the following amendments:

Amendment No. 1

On page 4, line 18, of the printed bill, as amended, in the Senate on February 12, 1946, strike out the figures "$3,077,500.00", and insert "$3,037,500.00".

Amendment No. 2

On page 7 of said bill, strike out lines 35 to 50 inclusive.

Amendment No. 3

On page 8, line 16, of said bill, strike out "$6,000,000.00", and insert "$5,500,000.00".

Amendments read and adopted.

Bill ordered printed, and referred to Committee on Finance.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 113—An act to amend Section 1262 of, and to add Section 1263 to, the Military and Veterans' Code, relating to county and city buildings for veterans' associations.

Bill read third time.

Motion to Amend

Senator Mayo moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "county and"; strike out line 3 and insert "memorial buildings."

Amendment No. 2

On page 1, line 23, of said bill, after "(e)", insert "In addition to all other taxes,".

Amendment No. 3

On page 1, line 25; and on page 2, line 1, of said bill, strike out ", in addition to all other taxes", and insert "if all the taxable property in the county has an aggregate value of less than fifty million dollars ($50,000,000), or not to exceed one and one-half mills ($0.0015) on each dollar of assessed valuation on all the taxable property in the county if all the taxable property in the county has an aggregate value equal to or more than fifty million dollars ($50,000,000)".

Amendment No. 4

On page 2 of said bill, between lines 12 and 13, insert

"(i) Join with memorial districts in the purchase, acquisition or construction of memorial halls, assembly halls, buildings or meeting places, or in the accomplishment of any other purpose for which a memorial district has been organized, using the funds authorized to be raised by this section. Title to any property so purchased, acquired or constructed may be taken in the name of the memorial district, or jointly with the county, or the county may convey any property so acquired, purchased or constructed to the memorial district without consideration to the county. The board of supervisors may transfer to a memorial district funds raised pursuant to this section

to be expended by the district in furtherance of the purposes of the district under terms and conditions consistent with the purposes for which the funds were raised."

Amendments read and adopted.

Bill ordered printed, re-engrossed, and to third reading.

Senate Bill No. 114—An act to amend Section 1262 of the Military and Veterans Code, relating to memorial buildings.

Bill read third time.

Motion to Amend

Senator Mixter moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, after "of" insert ", and to add Section 1263 to,".

Amendment No. 2

On page 1, line 23, of said bill, after "(e)", insert "In addition to all other taxes,".

Amendment No. 3

On page 1, line 25; and on page 2, line 1, of said bill, strike out ", in addition to all other taxes", and insert "if all the taxable property in the county has an aggregate value of less than fifty million dollars ($50,000,000), or not to exceed one and one-half mills ($0.0015) on each dollar of assessed valuation on all the taxable property in the county if all the taxable property in the county has an aggregate value equal to or more than fifty million dollars ($50,000,000)".

Amendment No. 4

On page 2 of said bill, after line 26, insert

"SEC. 2. Section 1263 is added to said code, to read:

1263. Any money which is made available by the State to any political subdivision for the purposes of acquiring and constructing public buildings may be used for the purposes of this chapter."

Amendments read and adopted.

Bill ordered printed, re-engrossed, and to third reading.

THIRD READING OF ASSEMBLY BILLS

Assembly Joint Resolution No. 8—Relative to amendment and extension of the Federal Social Security Act in respect to public assistance.

Resolution read, and presented by Senator Donnelly.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Crittenden, DeLap, Desmond, Deuel, Dillinger, Donnelly, Dorsey, Fletcher, Hulse, Jespersen, Judah, Keating, Mayo, McBride, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—33.

NOES—None.

Resolution ordered transmitted to the Assembly.

Assembly Bill No. 147—An act to provide for increased services by the California Highway Patrol by permitting payment of salaries of reinstated Highway Patrolmen out of the appropriation made for support of the California Highway Patrol by the Budget Act of 1945 and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Swing.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Hatfield, Judah, Keating, Mayo, McBride, Mixter, Parkman, Powers, Quinn, Rich, Seawell, Shelley, Slater, Sutton, Swing, and Ward—31.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Hatfield, Judah, Keating, Mayo, McBride, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, and Ward—32.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 52—An act to provide for the acquisition of temporary and emergency housing facilities for veterans and families of servicemen by joint action of the State and local agencies, providing for the operation of such facilities, making an appropriation, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Shelley.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Hatfield, Judah, Keating, Mayo, McBride, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, and Ward—33.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Dorsey, Fletcher, Hatfield, Judah, Keating, Mayo, McBride, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, and Ward—32.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 62—An act to make an appropriation to the Veterans' Welfare Board to carry out the provisions of Section 699.5 of the Military and Veterans Code.

Bill read third time, and presented by Senator Quinn.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Hatfield, Judah, Keating, Mayo, McBride, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, and Ward—32.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 122—An act to amend Section 185 of the Streets and Highways Code, to make an appropriation for the revolving fund of the Division of Highways, to take effect immediately.

Bill read third time, and presented by Senator Shelley.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Crittenden, Cunningham, DeLap, Desmond, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Judah, Keating, Mayo, McBride, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, and Ward—32.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Judah, Keating, Mayo, McBride, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, and Ward—33.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 113—An act making an additional appropriation for support of the Department of Motor Vehicles in the Ninety-seventh and Ninety-eighth Fiscal Years, to take effect immediately.

Bill read third time, and presented by Senator Shelley.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Burns, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Judah, Keating, Mayo, McBride, Mixter, Parkman, Powers, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, and Ward—30.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 94—An act to amend Sections 6726 and 7012.5 and to repeal Sections 6726.1 and 7012.6 of the Welfare and Institutions Code, relating to the support of mental patients in boarding homes, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Judah.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Biggar, Breed, Burns, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Judah, Keating, Mayo, McBride, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, and Ward—33.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Burns, Carter, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Judah, Keating, Mayo, McBride, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, and Ward—32.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Joint Resolution No. 15—Relative to migratory birds and the open season for the taking thereof.

Resolution read, and presented by Senator Gordon.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Judah, Mayo, McBride, Mixter, Parkman, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, and Ward—32.
NOES—Senator Keating—1.

Resolution ordered transmitted to the Assembly.

Assembly Concurrent Resolution No. 31—Relative to respectful tribute to Victor J. Canepa.

Resolution read, and presented by Senator Shelley.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Judah, Keating, Mayo, McBride, Mixter, Parkman, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, and Ward—33.
NOES—None.

Resolution ordered transmitted to the Assembly.

SECOND READING OF SENATE BILLS

Senate Joint Resolution No. 3—Relative to proposed reparations to Japanese detained during the war in United States relocation centers, and memorializing Congress in regard thereto.

Resolution read, and ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT

Senator Hatfield asked for, and was granted, unanimous consent to have the following statement by the University of California at Berkeley, regarding the Postwar Unemployment Problems in California, 1945-1947, printed in the Journal:

The Postwar Unemployment Problem in California, 1945-1947

BUREAU OF PUBLIC ADMINISTRATION—UNIVERSITY OF CALIFORNIA, BERKELEY
August 1945

Estimate of Probable Postwar Unemployment in California, 1945-1947

	Prewar employment 1939-40	*War employment at peak*	*Estimate of war workers who will be displaced plus returning servicemen in labor market 1945-47*	
Airplanes and ship construction	50,000	800,000	700,000	
		650,000		
Armed forces	Very few	230,000	600,000	
		880,000		
Federal civilian employees	50,000	300,000	200,000	
Transportation, communications and utilities	175,000	275,000	50,000	
Total workers displaced			1,550,000	1,550,000
At least the above total number of workers will either:				
(1) withdraw from the labor market			200,000	
(2) leave the State			100,000	
				300,000
(3) find employment or (4) be unemployed				1,250,000
To this can be added marginal employment existing even during the war peak				50,000
				1,300,000
If trades and services employment increased 250,000				250,000
This would still leave total unemployed				1,050,000

(To be absorbed by *new* industries, public works, and construction.)

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 76
Assembly Bill No. 83
Assembly Bill No. 90
Assembly Bill No. 142

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 166

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

Assembly Bill No. 76—An act making an appropriation for a State office building in the City of San Jose, to take effect immediately.

Referred to Committee on Rules.

Assembly Bill No. 83—An act making an appropriation for a State building at Santa Barbara.

Referred to Committee on Rules.

Assembly Bill No. 90—An act to authorize the Veterans' Welfare Board to acquire or erect buildings at colleges and universities for the purpose of furnishing housing accommodations for veterans attending the colleges and universities, providing for the operation and maintenance of such buildings, and making an appropriation, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Rules.

Assembly Bill No. 142—An act to amend Section 19397 to the Government Code, relating to veterans in State civil service.

Referred to Committee on Rules.

Assembly Bill No. 166—An act to amend Section 3 of an act entitled "An act to amend Sections 306 and 312 of the Agricultural Code, making an appropriation for carrying out the provisions of said code and declaring the effective date of this act, relating to meat inspection," approved July 10, 1945, relating to meat inspection and providing for an extension of the period within which veterans who own or establish slaughtering or meat food manufacturing establishments may elect to assume State inspection.

Referred to Committee on Rules.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended:

Senate Bill No. 104

And respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

Above bill ordered to unfinished business file.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, February 13, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Proposed Senate Bill No. 120

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Governmental Efficiency.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, February 13, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Proposed Senate Bill No. 121

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Fish and Game.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following bills were introduced, and read the first time:

Senate Bill No. 120: By Senator Judah—An act to amend Sections 21290, 21291, 21295, and 21298 of the Government Code, and to add Section 21297 thereto, relating to retirement allowances payable by the State Employees' Retirement System in cases of retirement for disability, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 121: By Senator DeLap—An act to add Section 866 to the Fish and Game Code, relating to commercial fishing in portions of Fish and Game District 12.

Referred to Committee on Fish and Game.

ADJOURNMENT

At 1.14 p.m., on motion of Senator Seawell, the President declared the Senate adjourned until 10.30 a.m., Thursday, February 14, 1946, out of respect to the memory of the late Hon. Victor J. Canepa.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-SIXTH (FIRST EXTRAORDINARY) SESSION

SENATE DAILY JOURNAL

TWENTY-NINTH LEGISLATIVE DAY
THIRTY-NINTH CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO
Thursday, February 14, 1946

The Senate met at 10.30 a.m.
Hon. Frederick F. Houser, President of the Senate, presiding.
Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—39.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Dr. Clarence A. Kircher.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Patrick J. McCarthy of Hanford, Mr. Thomas F. Cleland of Ukiah, Hon. Goodwin J. Knight, Judge of the Superior Court, of Los Angeles, and w/o Manuel S. Fisher of Hollywood.

On request of Senator Quinn, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. E. C. Garrette, Mr. Irvin A. Griffin, Mr. Kenneth A. Keller, Mr. L. J. Nissen, and Francis J. Steidlmayer.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Ada L. Peck, Vice Principal, and the following seventh grade students of the Carmichael School: Patsy Athey, Betty Bush, Betty Camper, Donna Carter, Norma Cole, Shirley Garland, Nora Hiett, Janice Heringer, Betty Jones, Dorothy Jones, Marchonne Johnson, Carol Kling, Shirley Love, Darlene Midgett, Joanne Marrow, Yvonne Midgett, Donna Ogg, Oma Smith, Geraldine Wright, Geneva Cook, Louise Whittaker, Jack

Stone, Ronald Campbell, Richard Capps, Robert Capps, Charles Durrett, Emil Ekdahl, Wayne Grist, Ray Hall, Norman Hansen, Virgil Haven, Richard Kearney, David Manhart, Carl Metcalf, Charles Mooney, Duane Swart, Joeffery Voeller, Jack Walters, Eddie West, Romain Young, and Martin Clarkson.

Mrs. Eleanor Harshner, teacher, and the following eighth grade students of the Carmichael School: Sue Baker, Dolores Blake, Ada Brockman, Donna Campbell, Carrol Chapin, Diane Chastian, Mary Louise Corwin, Delores Dradle, Bonnie Jean Gardner, Jo Ann Howton, Marilyn Luce, Doris McMullin, Kathleen Reiche, Patricia Riolo, Stella Sizemore, Carolyn Schwenck, Floynell Soper, Barbara Schackelford, Evangeline Shilts, Patricia La Vine, June Mudgett.

Jiggs Athey, Rex Berry, William Bell, Donald Bockman, Jimmie Burres, Joe Cabral, Arthur Carlsburg, Milton East, Robert Elliott, James Gibson, Ralph Gunby, Charles Harris, Michael McEniry, John Nunes, Ralph Parks, Robert Pease, Robert Saum, Grant Sizemore, Charles Smothers, Allen Tuter, Jimmie Walker, Donald Chandler, Richard Chandler, Donald Ray.

Wayne Armstrong, Tommy Blackwell, Elliott Carrol, Hartly Chastain, Richard Checchettina, Eugene Ferguson, Glenn Graves, Vance Hansen, Ernest Hasten, Royce Harr, Kendall Milliner, Roger Reuter, Duane Scott, Frank Treantefeles, Eleanor Elliot, Faye Haven, Marjorie Jackson, Jeanine Larson, Waunetah Larson, Joyce Lind, Virginia McGurk, Jane Martin, Nola Jean Martin, Betty McMullen, Margie Palmer, Nadine Prater, Anna Ramos, Shirley Stranch, Judy Walpole, and Nancy White.

On request of Senator Fletcher, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Henry Hartman of Chicago, Illinois.

COMMUNICATIONS

The following communication was received, read, and ordered printed in the Journal:

February 14, 1946

California State Senate
State Capitol Building, Sacramento, California

MEMBERS AND FRIENDS: We wish both to express our appreciation and to acknowledge your kind expressions of sympathy and the beautiful tributes paid to our beloved husband and father, Harry B. Riley.

His untimely passing is an irreplaceable loss to us all, but he will live forever in our hearts and memories.

Sincerely,

MRS. RUTH M. RILEY
BURKE RILEY AND FAMILY

Chief Assistant Secretary Cleve V. Taylor at the Desk

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended:

Senate Bill No. 40

And respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

Above bill ordered to unfinished business file.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, February 13, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 48—An act to amend Section 24626 of the Education Code, relating to the use of county funds for the support and maintenance of extension work in agriculture and home economics;

Senate Bill No. 61—An act to amend Section 2302 of, and to add Section 2302.1 to, the Health and Safety Code, relating to the maximum rate of tax for mosquito abatement districts, declaring the urgency thereof, to take effect immediately;

Senate Bill No. 62—An act to amend Section 9102 of the Government Code, relating to the salaries of employees in the legislative offices in Alameda, Los Angeles, and San Francisco;

Senate Bill No. 100—An act to add Sections 3211.9, 3211.91, 3211.92, 3211.93, and 3352.94 to, and Chapter 10.5 comprising Sections 4351 to 4386, inclusive, to Part 1 of Division 4 of the Labor Code, and to add Article 10.7 to Chapter 1 of Division 7 of the Military and Veterans Code, relating to the furnishing of workmen's compensation benefits to disaster service workers, including the limiting of the liability of the State of California, counties, cities, and disaster councils for injuries arising out of and occurring in the course of activities as a disaster service worker, authorizing the California State Disaster Council to certify disaster councils and to make rules and regulations for the classifying and registering of disaster service workers, providing for the State Compensation Insurance Fund to act as adjusting agent, and making an appropriation for the furnishing of workmen's compensation benefits, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirteenth day of February, 1946, at 2 p.m.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, February 13, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 106—An act making an appropriation for the contingent expenses of the Senate, including expenses of committees, to take effect immediately;

And reports that the same has been correctly enrolled, and presented to the Governor on the thirteenth day of February, 1946, at 2 p.m.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, February 13, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Assembly Bill No. 166

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Agriculture.

Committee membership 5; committee vote: Ayes 4; absent 1.

SEAWELL, Chairman

Above reported bill re-referred to Committee on Agriculture.

SENATE CHAMBER, SACRAMENTO, February 13, 1946

MR. PRESIDENT: Your Committee on Rules, to which were referred:

Assembly Bill No. 76 — Assembly Bill No. 90
Assembly Bill No. 83 — Assembly Bill No. 142

Has had the same under consideration, and finds that same are within the purview of the call, and directs that they be referred to the Committee on Governmental Efficiency.

Committee membership 5; committee vote: Ayes 4; absent 1.

SEAWELL, Chairman

Above reported bills re-referred to Committee on Governmental Efficiency.

SENATE CHAMBER, SACRAMENTO, February 13, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Senate Joint Resolution No. 9

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Natural Resources.

Committee membership 5; committee vote: Ayes 4; absent 1.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, February 13, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Proposed Senate Bill No. 122

Has had the same under consideration, and finds that same is within the purview of the call, and reports the same back with the recommendation: Do pass.

Committee membership 5; committee vote: Ayes 4; absent 1.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, February 13, 1946

MR. PRESIDENT: Your Committee on Rules, to which were referred:

Senate Concurrent Resolution No. 17
Senate Joint Resolution No. 10
Senate Joint Resolution No. 8

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 4; absent 1.

SEAWELL, Chairman

Above reported resolutions ordered to third reading.

Committee on Finance

SENATE CHAMBER, SACRAMENTO, February 13, 1946

MR. PRESIDENT: Your Committee on Finance, to which were referred:

Senate Bill No. 116
Senate Bill No. 118
Assembly Bill No. 26
Assembly Bill No. 51
Assembly Bill No. 75
Assembly Bill No. 79
Assembly Bill No. 99
Assembly Bill No. 105
Assembly Bill No. 138
Assembly Bill No. 148
Assembly Bill No. 153

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 11.

RICH, Chairman

Above reported bills ordered to second reading.

Committee on Local Government

SENATE CHAMBER, SACRAMENTO, February 13, 1946

MR. PRESIDENT: Your Committee on Local Government, to which were referred:

Assembly Bill No. 143
Assembly Bill No. 152

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 8; committee vote: Ayes 7; absent 1.

CUNNINGHAM, Chairman

Above reported bills ordered to second reading.

Committee on Rules

SENATE CHAMBER, SACRAMENTO, February 14, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 113
Senate Bill No. 114
Senate Constitutional Amendment No. 2

And reports the same correctly re-engrossed.

SEAWELL, Chairman

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following bills were introduced, and read the first time:

Senate Bill No. 122: By Senator Shelley—An act to amend Section 9102 of the Government Code, relating to the salaries of employees in

the legislative offices, declaring the urgency hereof, to take effect immediately.

Ordered placed on second reading.

Senate Concurrent Resolution No. 17: By Senator Collier—Relative to the Joint Fact-Finding Committee on Highways, Streets and Bridges.

Ordered placed on third reading.

Senate Joint Resolution No. 8: By Senators Dillinger, Seawell, Collier, Biggar, Deuel, Brown, and Mayo—Relative to encouraging the resumption of gold mining.

Ordered placed on third reading.

Senate Joint Resolution No. 9: By Senator Quinn—Relative to establishment of National parks.

Referred to Committee on Natural Resources.

Senate Joint Resolution No. 10: By Senators Desmond, Rich, and Seawell—Relative to the permanent establishment of Camp Beale.

Ordered placed on third reading.

THE FOLLOWING PROPOSED BILLS WERE READ, AND REFERRED TO COMMITTEE ON RULES

By Senators Seawell, DeLap, Collier, Rich, Hatfield, Mayo, Brown, Salsman, and Powers—An act to repeal Section 14 of an act entitled "An act to provide a unified program of construction, improvement, and equipment for State agencies, creating a State Public Works Board, and making an appropriation to carry out the provisions of this act," relating to public works.

By Senator Hatfield—An act to create an Agricultural Research Study Committee, provide for its powers and duties, and making an appropriation.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, February 14, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Proposed Senate Bill No. 123

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Governmental Efficiency.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS (RESUMED)

The following bill was introduced, and read the first time:

Senate Bill No. 123: By Senators Seawell, DeLap, Collier, Rich, Hatfield, Mayo, Brown, Salsman, and Powers—An act to repeal Section 14 of an act entitled "An act to provide a unified program of construction, improvement, and equipment for State agencies, creating a

State Public Works Board, and making an appropriation to carry out the provisions of this act," relating to public works.

Referred to Committee on Governmental Efficiency.

CONSIDERATION OF DAILY FILE

UNFINISHED BUSINESS

Consideration of Assembly Amendments

Senate Bill No. 45—An act making an appropriation for the support of child care centers, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Bill No. 45?

Amendment No. 1

On page 2, line 14 of the printed bill, as amended in the Senate on January 25, 1946, after "child", insert "; provided, however, that this Section 4.5 shall not apply to any child whose parent or person having custody thereof is in the armed forces of the United States".

Amendment No. 2

On page 1 of said bill, following line 8, insert

"SEC. 1.5. Of the amount appropriated by Section 1 of this act, the Department of Education is hereby authorized to expend not to exceed thirty-three thousand seven hundred dollars ($33,700) for the administration of this act and the supervision of child care centers, which sum is in addition to any other funds appropriated for the supervision of child care centers."

Amendment No. 3

On page 1, line 9, of said bill, strike out "allocate", and insert "apportion".

Amendment No. 4

On page 1, line 14, of said bill, strike out "Allocations", and insert "Apportionments".

Amendment No. 5

On page 1, line 20, of said bill, strike out "allocate", and insert "apportion".

Amendment No. 6

On page 1, line 10, of said bill, strike out "governing boards".

Amendment No. 7

On page 1, line 11, of said bill, strike out "of".

Amendment No. 8

On page 1, line 17, of said bill, strike out "respective child care centers requesting allocation", and insert "child care centers of the school districts and State educational institutions requesting apportionments".

Amendment No. 9

On page 1, line 20, of said bill, strike out "to", and insert "for".

Amendment No. 10

On page 1 of said bill, following line 21, insert

"SEC. 2.1. Each apportionment made by the Department of Education under this act for the child care center or centers of a school shall be certified by the department to the State Controller who shall thereupon draw his warrant on the State Treasurer in favor of the county treasurer of the county having jurisdiction over the district. The warrant shall be exempt from the provisions of Division 4 of the Government Code and shall be paid by the State Treasurer from the appropriation made by this act.

The county treasurer of each county shall pay all moneys received by him under this section into the county treasury to the credit of the Child Care Center Fund of each such district, exactly as apportioned by the department.

SEC. 2.2. Each apportionment made by the Department of Education to a State educational institution under this act shall be certified by the department to the State Controller who shall thereupon make the amount of such apportionment available for

expenditure for the operation of the child care center or centers maintained by such institution."

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 45 by the following vote:

AYES—Senators Breed, Brown, Burns, Crittenden, Cunningham, DeLap, Dillinger, Dilworth, Donnelly, Dorsey, Gordon, Jespersen, Judah, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Salsman, Seawell, Slater, Sutton, Swing, Tenney, and Weybret—28.
NOES—None.

Above bill ordered enrolled.

Secretary J. A. Beek at the Desk

Consideration of Assembly Amendments

Senate Bill No. 104—An act to add Section 126 to the Government Code, relating to the acquisition of land in this State by the United States and the consent of the Legislature to such acquisition upon the conditions and subject to the reservations in this act prescribed.

The question being: Shall the Senate concur in the following Assembly amendment to Senate Bill No. 104?

Amendment No. 1

On page 2 of the printed bill, between lines 16 and 17, insert

"The finding and declaration of the State Board of Equalization provided for in subdivision (d) of this section shall be made only after a public hearing. Notice of such hearing shall be published once in a newspaper of general circulation in each county in which the land or any part thereof is situated and a copy of such notice shall be personally served upon the clerk of the board of supervisors of each such county. The State Board of Equalization shall make rules and regulations governing the conditions and procedure of such hearings, which shall provide that the cost of publication and service of notice shall be borne by the owner or transferee of the property."

The roll was called, and the Senate concurred in Assembly amendment to Senate Bill No. 104 by the following vote:

AYES—Senators Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Gordon, Jespersen, Judah, Keating, Mayo, McBride, Mixter, Parkman, Quinn, Rich, Salsman, Seawell, Slater, Sutton, Swing, and Tenney—29.
NOES—None.

MOTION TO RECONSIDER

Senator Fletcher moved to reconsider the vote whereby the Assembly amendment to Senate Bill No. 104 was concurred in.

POSTPONEMENT OF RECONSIDERATION

On motion of Senator Fletcher, the further consideration of the motion to reconsider the vote whereby the Assembly amendment to Senate Bill No. 104 was concurred in, was continued until the next legislative day.

SECOND READING OF SENATE BILLS

Senate Bill No. 119—An act to add Section 19626.5 to the Business and Professions Code, authorizing Agricultural District 1A to expend money for construction, improvements and equipment, declaring the urgency of this act, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 151—An act to add Section 10.5 to the Housing Authorities Law, relating to housing.

Bill read second time.

Motion to Amend

Senator Tenney moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 17, of the printed bill, after the period, insert

"This section and all of its provisions shall automatically terminate and become void on the ninety-first day after the date of adjournment of the Legislature at its Fifty-eighth Regular Session in 1949."

Amendment read and adopted.

Bill ordered printed, and to third reading.

Assembly Bill No. 109—An act to amend Sections 4452, 4453 and 4458 of the Labor Code, and to repeal Section 4460 of the Labor Code, relating to workmen's compensation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Labor:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "Sections 4452, 4453, and 4458 of the Labor Code, and to repeal".

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets:

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 26, inclusive; and on page 2 of said bill, strike out lines 1 to 30, inclusive, and insert

SECTION 1. *Section 4460 of the Labor Code is hereby amended to read:*

4460. For the purpose of computing the temporary *or permanent* disability indemnity payable to any employee, including "volunteer firemen" as defined in Section 3361, who sustains an original injury causing temporary *or permanent* disability during the time that this section is in force and effect, the maximum average weekly earnings shall be taken at forty-six dollars and sixteen cents ($46.16).

Every computation made pursuant to this section shall be made only with reference to temporary *disability or such permanent* disability as is *hereafter* sustained and exists during the time that this section is in force and effect, *provided, however, that all rights presently existing under this section shall be continued in force.*

This section shall remain in effect until the ninety-first day after final adjournment of the Fifty-seventh Regular Session of the Legislature [or until the cessation of hostilities in all wars in which the United States is now engaged, whichever first occurs]. While this section is in effect it shall supersede any existing provisions of law which are in conflict with this section; but such provisions are not repealed by this section and after this section is no longer effective shall have the same force as though this section had not been enacted.

Amendments read and adopted.

Bill ordered printed, and to third reading.

THIRD READING OF SENATE BILLS

Senate Bill No. 79—An act to add Section 1247.5 to the Code of Civil Procedure, relating to eminent domain.

Bill read third time.

Motion to Amend

Senator Hatfield moved the adoption of the following amendment:

Amendment No. 1

On page 2 of the printed bill, as amended, strike out lines 30 to 37, inclusive, and insert

"SEC. 2. The provisions of this act shall take effect and be operative to the fullest extent possible under the existing provisions of the State Constitution. The remaining provisions, if any, shall severally become operative if, as, and when the Constitution is so amended as to make them possible of enactment, they thereafter to have the same force and effect they would have if enacted upon such constitutional amendment or amendments becoming effective."

Amendment read and adopted.

Bill ordered printed, re-engrossed, and to third reading.

RECESS

At 11.02 a.m., on motion of Senator Seawell, the Senate recessed to permit Senator Quinn to present Senator Sutton a Certificate of Merit and Selective Service Medal, for outstanding service as a member of Selective Service Board No. 19.

The following members of Selective Service Board No. 19 were present: Captain Ed. C. Garrette, Chairman of Colusa, Captain Louis J. Nissen of Willows, Francis J. Steidlmayer of Colusa, Kenneth A. Keller of Princeton, and Irvin Griffin of Arbuckle.

REASSEMBLED

At 11.10 a.m., the Senate reconvened.

Hon. Frederick F. Houser, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

MOTION TO REFER BACK TO THIRD READING FILE

Senator Mayo moved that the Senate refer back to the Senate third reading file, for the purpose of considering the items which were passed on file.

Motion carried.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by amending Section 14 of Article I thereof, relating to the rights of private property.

Bill read third time.

Motion to Amend

Senator Carter moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 5, of the printed measure, as amended in the Senate on February 13, 1946, after "use", and preceding the comma, insert "whether the fee thereof or an easement therefor be sought".

Amendment read and adopted.

Resolution ordered printed, re-engrossed, and to third reading.

Senate Bill No. 113—An act to amend Section 1262 of, and to add Section 1263 to, the Military and Veterans' Code, relating to county and city buildings for veterans' associations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Mayo, McCormack, Mixter, Parkman, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Tenney, Ward, and Weybret—35.

NOES—None.

Bill ordered transmitted to the Assembly.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

SENATE CHAMBER, SACRAMENTO, February 12, 1946

MR. PRESIDENT: The Committee on Conference concerning:

Assembly Bill No. 59—An act to amend Section 4711 of the Health and Safety Code, relating to county sanitation districts, declaring the urgency hereof, to take effect immediately.

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the bill, as amended on February 6, 1946, be further amended as follows:

Amendment No. 1

On page 1, lines 7 and 8, of the printed bill, as amended, strike out "a two-thirds vote", and insert "the vote of a majority".

CARTER	BECK
SALSMAN	ROSENTHAL
PARKMAN	EVANS
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Tenney, and Ward—34.

NOES—Senator Judah—1.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 114—An act to amend Section 1262 of the Military and Veterans Code, relating to memorial buildings.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Hatfield, Hulse, Jespersen, Judah, Mayo, McBride, McCormack, Mixter, Parkman, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Tenney, and Ward—33.

NOES—None.

Bill ordered transmitted to the Assembly.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 48—An act to add Section 13001.1 to the Education Code, relating to the validation of acts of governing boards of school districts in employing and compensating persons employed in positions requiring certification qualifications, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Shelley.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Hatfield, Hulse, Jespersen, Judah, Keating, Mayo, McBride, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Tenney, and Ward—29.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Hatfield, Hulse, Jespersen, Judah, Keating, Mayo, McBride, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, and Tenney—29.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 7—An act to amend Sections 19601, 19608, 19613, and 19616 of, and to add Sections 19613.5 and 19617 to, the Education Code, relating to child care centers, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Senator Tenney moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 35, of the printed bill, as amended, before the period insert ", except such as may be specifically authorized by the Department of Education after it has surveyed the financial needs of the then existing child care centers and finds that the establishment of the new child care center:

(a) Will not financially jeopardize or otherwise curtail the operations of the then existing child care centers, and

(b) Is necessary to meet an emergency arising from the necessity of harvesting or processing crops or of assisting veterans in obtaining their educations, or other necessities

A child care center which was in operation prior to said effective date, but which is temporarily not in operation on that date is not an additional child care center within the meaning of this section."

Amendment read and adopted.

Bill ordered printed, and to third reading.

Assembly Bill No. 121—An act authorizing The Regents of the University of California to issue and sell bonds to provide funds for the acquisition, of real property, and for the erection, equipping, and furnishing thereon, or upon other real property owned by the said Regents of the University of California, of dormitories or other housing facilities for the use of students or employees of the University of California,

declaring the urgency thereof, and to provide that this act shall take effect immediately.

Bill read third time, and presented by Senator Breed.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Biggar, Breed, Burns, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Fletcher, Gordon, Hatfield, Jespersen, Judah, Keating, Mayo, Mixter, Parkman, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—30.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Burns, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Keating, Mixter, Parkman, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—28.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 117—An act to add Section 6076.5 to the Business and Professions Code, relating to veterans who are members of the State Bar.

Bill read third time, and presented by Senator Quinn.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Burns, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hulse, Judah, Keating, Mayo, Parkman, Quinn, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—29.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Joint Resolution No. 20—Relating to the surplus potato crops in California.

Resolution read, and presented by Senator Hatfield.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Jespersen, Judah, Keating, Mayo, McBride, Mixter, Parkman, Powers, Quinn, Rich, Seawell, Shelley, Slater, Sutton, Swing, Tenney, and Ward—33.
NOES—None.

Resolution ordered transmitted to the Assembly.

Assembly Bill No. 111—An act relating to the rights of veterans to return to public office or employment upon release from the armed services of the United States, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Senator Hatfield moved the adoption of the following amendment:

Amendment No. 1

On page 2 of the printed bill, as amended in the Senate on February 13, 1946, strike out lines 27 to 30, inclusive, and insert "States.".

Amendment read and adopted.

Bill ordered printed, and to third reading.

Assembly Bill No. 127—An act to amend Sections 2955 and 3014.5 of the Civil Code, relating to trust receipts on aircraft.

Bill read third time, and presented by Senator DeLap.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Mayo, Mixter, Parkman, Powers, Quinn, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, and Ward—33.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 66—An act to add Section 6062.5 to the Business and Professions Code, relating to bar examinations of veterans.

Bill read third time.

Motion to Amend

Senator Salsman moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 8, of the printed bill, as amended in the Senate on February 13, 1946, after "United States", strike out "before taking an"; and in line 9 strike out "examination for admission to the bar,".

Amendment read.

Previous Question

Senator Rich moved the previous question.

Motion carried.

The question being on the adoption of the amendments by Senator Salsman.

Roll Call Demanded

Senators Carter, Salsman, and Tenney demanded a roll call.

The roll was called, and the amendment adopted by the following vote:

AYES—Senators Biggar, Brown, Burns, Cunningham, Deuel, Dillinger, Donnelly, Fletcher, Hatfield, Hulse, Jespersen, McBride, McCormack, Parkman, Salsman, Shelley, Sutton, Tenney, and Weybret—19.
NOES—Senators Breed, Carter, Crittenden, DeLap, Desmond, Dorsey, Keating, Mayo, Mixter, Powers, Quinn, Rich, Seawell, Slater, Swing, and Ward—16.

Further Amendments to Assembly Bill No. 66

Motion to Amend

Senator Tenney moved the adoption of the following amendment:

Amendment No. 1

On page 2, lines 10 and 11, of the printed bill, as amended in the Senate on February 13, 1946, strike out "two years", and insert "one year".

Amendment read.

Previous Question

Senator Gordon moved the previous question.

Motion carried.

The question being on the adoption of the amendment by Senator Tenney.

The roll was called, and the amendment adopted by the following vote:

AYES—Senators Biggar, Brown, Burns, Crittenden, Cunningham, Deuel, Dillinger, Donnelly, Dorsey, Fletcher, Hatfield, McBride, Parkman, Salsman, Shelley, Slater, Swing, Tenney, and Weybret—19.

NOES—Senators Breed, Carter, DeLap, Desmond, Dilworth, Gordon, Hulse, Jespersen, Keating, Mayo, McCormack, Mixter, Powers, Quinn, Rich, Sutton, and Ward—17.

Bill ordered printed, and to third reading.

MOTION TO PRINT IN JOURNAL

Senator Hatfield moved that the following financial statements, submitted by the State Department of Finance, in compliance with Assembly Concurrent Resolution No. 18, be printed in the Journal.

Motion carried.

LETTER OF TRANSMITTAL FROM DEPARTMENT OF FINANCE

STATE OF CALIFORNIA, DEPARTMENT OF FINANCE
SACRAMENTO 14, February 14, 1946

Honorable Members of the Senate
State Capitol, Sacramento, California

GENTLEMEN: In compliance with Assembly Concurrent Resolution 18, I am submitting the following financial statements concerning the present condition of, and the estimated surplus on June 30, 1947 in, the General Fund, the Postwar Employment Reserve, the Postwar Employment and Construction Fund, and the Bond Sinking Fund of 1943:

Statement I—Comparative Statement of Estimated and Actual Receipts, Disbursements and Current Condition of the General Fund, July 1 to December 31, 1945.

Statement II—Revised Summary of General Fund Budget for 1945-1947 Biennium and Forecast of Surplus as of June 30, 1947.
Schedule 1—General Fund Balance Sheet, June 30, 1945.
Schedule 2—Actual and Estimated General Fund Revenue for 1943-1945 and 1945-1947 Bienniums.
Schedule 3—Revised Estimates of General Fund Expenditures for 1945-1947 Biennium.

Statement III—Statement of Condition of General Reserve Funds as of January 31, 1946.

Statement IV—Statement of Actual and Estimated Revenues and Expenditures of General Reserve Funds to June 30, 1947 and Forecast of Surpluses as of June 30, 1947.

It should be clearly understood that any attempt to forecast State financial operations during periods of unsettled economic conditions is extremely hazardous. Under the California Tax System, revenues for the General Fund are related closely to economic conditions within the State and Nation. Any change in the level of business is reflected almost immediately in the volume of collections under the retail sales tax, liquor taxes, and other levies.

Appraisals of the State's financial outlook must be made with this fact in mind. Moreover, it should be noted that any deterioration in economic conditions inevitably means not only a smaller volume of State revenue, but larger expenditures for such Social Welfare activities as aid to the needy aged, blind, and children, and in extremities for unemployment relief as well. Thus, economic conditions are a two-edged sword in their effect upon the fiscal affairs of State Government. This factor is particularly important in view of the recent increase in industrial disputes, with the accompanying possibilities of prolonged unemployment and reductions in the incomes of individuals and business enterprises.

During the first 6 months of the present biennium, receipts for the State General Fund amounted to $160,614,000, exceeding the budget forecasts by approximately $29,834,000. Of this excess $24,960,000, or 84 per cent, came from the retail sales and use taxes (See Statement I). Roughly, $4,061,000 of the increased revenue was derived from the excise taxes on alcoholic beverages and liquor license fees. Inheritance and gift tax receipts exceeded the forecasts by $1,526,000, while miscellaneous receipts, chiefly horseracing license fees, accounted for $3,949,000 of the excess income. Receipts from the Bank and Corporation Franchise Tax were $2,292,000 below the

expected amount during this period, and personal income tax collections fell $4,213,000 below the $13,500,000 estimated from this source.

General Fund expenditures between July 1 and December 31, 1945 amounted to $118,979,000, or $6,271,000 less than had been anticipated for this period. Nearly all items of expenditure revealed budget savings, with approximately $2,175,000, or one-third of the total appearing in expenditures for school support; $2,059,000, or another third, in payments for aid to needy aged, blind, and children; and $2,141,000, or one-third, in miscellaneous fixed charges and appropriations. It should be emphasized, however, that these are merely cash flow figures, and with the exception of payments for school support, the apparent savings to date may disappear during the remaining eighteen months of the biennium.

While General Fund revenues during the first six months of this biennium have averaged approximately 18 per cent more than was estimated in the budget, it is not expected this situation will continue throughout the remainder of the biennium. The Nation today is confronted with a serious industrial dispute in one of its most basic industries—steel production. It is threatened with unrest in another field of activity —transportation. Automobile production, which many believed would lead the way to postwar prosperity has been virtually at a standstill, and building construction activity is curtailed by shortages of materials, hardware, and plumbing supplies. In the light of this situation, it is essential to take a conservative view of the economic outlook for 1946.

The revised estimates of revenue herewith submitted are predicated upon the assumption that economic activity in California during 1946 will not gain the levels which would be possible if the demand for goods and services could be met. In the field of retail trade, for example, it has been assumed that taxable sales during the current year will total approximately $5,600,000,000, or 12.4 per cent below the record total achieved in 1945. Such a total for the current year, however, would be 36.3 per cent above the volume of 1941, the last prewar year. Revenue from the Bank and Corporation Franchise Tax will actually be lower than was estimated a year ago, due to accelerated amortization of defense facilities under the presidential order of last September and an unexpected decline in corporate earnings during 1945. These are but two examples of the adjustments which have been taken into consideration in revising the budget forecasts of General Fund revenue for the current biennium.

General Fund receipts during the 1945-1947 Biennium are now estimated at $589,010,205, or $70,418,148 more than the total shown in the original budget forecasts (Schedule 2). Although actual receipts may differ somewhat from this total, depending upon economic conditions during the coming months, it is believed that this volume of income may be counted upon with a fair degree of certainty. Expenditures from the General Fund now authorized amount to $567,423,739 (Schedule 3). It should be noted that this total does not include any of the appropriations under consideration during the current special session of the Legislature. Savings in the current expenditure program have been mentioned above. With the exception of school costs which are now determined for the first year of the biennium, it is unwise to count upon any substantial reduction in the authorized expenditure program at this time. However, school apportionments will be approximately $3,475,932 below the budget figure according to present estimates, and this reduction has been taken into account in the above total.

With revenues of $589,010,205 and expenditures of $567,423,739, the current General Fund Budget will show an operating surplus of $21,586,466, during the 1945-1947 Biennium. This addition from current operations, together with the $61,716,109 unearmarked remainder of the surplus at the beginning of the biennium, will result in a surplus of $83,302,575 in prospect for June 30, 1947, according to present estimates.

In complying with Assembly Concurrent Resolution 18, I am impelled to urge the need for a conservative stand upon matters affecting the State's surplus. Fiscal officers of the State are virtually unanimous in their opinion that the present financial situation is abnormal. It is abnormal in the huge volume of revenue received during the war years and in the lower expenditures for such fixed costs as school support and Social Welfare Programs. As revenues return to normal proportions and expenditures regain the trends evidenced before the war, revenue excesses will disappear. The State will require its entire financial reserves to meet this situation and it should make every effort to conserve any resources over and above immediate and essential current demands.

Very truly yours,

JAMES S. DEAN, Director of Finance

Statement I

Comparative Statement of Estimated and Actual Receipts, Disbursements and Current Condition of the General Fund, July 1 to December 31, 1945

	Estimated*	Actual†	Difference
Revenue receipts:			
Retail sales and use taxes	$57,725,000 00	$82,684,829 34	+$24,959,829 34
Bank and corporation franchise tax	28,000,000 00	25,707,501 40	— 2,292,498 60
Personal income tax	13,500,000 00	9,287,403 60	— 4,212,596 40
Liquor taxes and licenses	8,420,000 00	12,480,742 90	+ 4,060,742 90
Inheritance and gift taxes	5,060,000 00	6,586,211 22	+ 1,526,211 22
Insurance gross premiums tax	12,900,000 00	13,461,603 24	+ 561,603 24
Motor vehicle transportation tax	3,000,000 00	3,603,869 53	+ 603,869 53
Motor vehicle "in lieu" tax	150,000 00	717,897 24	+ 567,897 24
Miscellaneous sources	4,825,000 00	8,774,024 72	+ 3,949,024 72
Total	$133,580,000 00	$163,304,083 19	+$29,724,083 19
Less: Transfers to Postwar Employment Reserve	2,800,000 00	2,689,601 51	— 110,398 49
Net revenue receipts	$130,780,000 00	$160,614,481 68	+$29,834,481 68
Nonrevenue receipts:			
Returned from Bond Sinking Fund of 1943 for interest and redemption of certain State bonds	$3,365,000 00	$3,365,616 25	+ $616 25
Transfer from War Catastrophe Reserve	25,000,000 00	25,000,000 00	
Miscellaneous receipts	130,000 00	325,778 23	+ 195,778 23
Total receipts	$159,275,000 00	$189,305,876 16	+$30,030,876 16
Governmental cost expenditures:			
Bond interest and redemption	$4,215,000 00	$4,284,021 25	+ $69,021 25
Elementary schools	26,705,000 00	25,713,119 10	— 991,880 90
High schools	12,385,000 00	11,724,107 56	— 660,892 44
Junior colleges	685,000 00	162,758 91	— 522,241 09
University of California	6,425,000 00	6,460,343 15	+ 35,343 15
Aid to needy aged	23,500,000 00	22,082,777 45	— 1,417,222 55
Aid to needy children	2,000,000 00	1,504,590 87	— 495,409 13
Aid to needy blind	725,000 00	578,384 28	— 146,615 72
Transfer to Highway Fund	12,000,000 00	12,000,000 00	
Miscellaneous fixed charges and appropriations	36,610,000 00	34,468,879 65	— 2,141,120 35
Total	$125,250,000 00	$118,978,982 22	— $6,271,017 78
Nongovernmental cost expenditures:			
Transfer to Postwar Employment Reserve Fund	$500,000 00	$500,000 00	
Transfer to Postwar Unemployment and Construction Fund	90,000,000 00	90,000,000 00	
Transfer to Bond Sinking Fund of 1943	11,650,000 00	11,651,489 75	+ $1,489 75
Miscellaneous		482 40	+ 482 40
Total disbursements	$227,400,000 00	$231,130,954 37	— $6,269,045 63
Excess disbursements over receipts	$68,125,000 00	$31,825,078 21	—$36,299,921 79

General Fund Current Condition, December 31, 1945

Current assets:	
General Fund:	
Cash	$22,710,926 58
Bond investments at par	70,367,000 00
Cash available for transfer to General Fund from revenue "feeder" funds	17,378,783 34
Total current assets	$110,456,709 92
Current debt	
Net current surplus, December 31, 1945	$110,456,709 92

*Budget estimate adjusted for changes made by Legislature in Regular Session, 1945.
†Actual amounts taken from monthly report of State Controller.

Statement II

State of California

Revised Summary of General Fund Budget for the 1945-1947 Biennium

I.	Accumulated surplus at beginning of 1945-1947 Biennium, per General Fund balance sheet as of June 30, 1945 (Schedule 1)			$138,867,599
II.	Transfers from surplus to reserve funds pursuant to 1945 legislation effective September 16, 1945:			
	To Bond Sinking Fund of 1943		$11,651,490	
	To Postwar Employment Reserve		500,000	
	To Postwar Unemployment and Construction Fund		90,000,000	
	Total, transfers to reserves		$102,151,490	
	Deduct: Reversion of War Catastrophe Reserve to General Fund (Chapter 1407, Statutes 1945)		25,000,000	
	Net additions to reserve funds			77,151,490
III.	Remainder of June 30, 1945, surplus after earmarking			$61,716,109
IV.	Estimated revenues, 1945-1947 Biennium (Schedule 2)			
	Governor's Budget	$518,592,057		
	Add: Increase in revenue, February, 1946, revision of estimates	70,418,148		
	Revised estimate of revenue		$589,010,205	
V.	Authorized expenditures, 1945-1947 Biennium (Schedule 3):			
	Governor's Budget	$482,746,116		
	Add: Increases by Budget Bill amendments and special appropriations enacted at the 1945 Regular Legislative Session	73,241,478		
	Total authorized expenditures	$555,987,594		
	Add: Increases in expenditures from 1943-1945 appropriations carried forward to 1945-1947	14,886,077		
	Deduct: Reduction in Budget estimate of fixed charges for public schools and judges' retirement	—3,449,932		
	Revised estimate of expenditures		567,423,739	
VI.	Revised estimate of current budget surplus, 1945-1947 Biennium			21,586,466
VII.	Revised estimate of General Fund surplus, June 30, 1947			$83,302,575

Statement II
SCHEDULE 1

General Fund Balance Sheet as of June 30, 1945

RESOURCES

Cash in State treasury:			
Unapplied cash in the General Fund		$15,478,764 03	
Cash in other funds available to the General Fund		46,024 10	
			$15,524,788 13
Due from other funds:			
From sundry funds—temporary advances			453,584 73
Investments:			
Bonds at par value	$126,757,000 00		
Accrued interest purchased	17,080 80		
			126,774,080 80
Total resources			$142,752,453 66

OBLIGATIONS

Accrued fixed charges			$91,324 64
Appropriations:			
Appropriations in force June 30, 1945	$46,220,732 58		
Less amounts available to meet expenditures of subsequent fiscal years	24,606,352 42		
		$21,614,380 16	
Less estimated unencumbered balances in appropriations in revert to surplus, after providing for expenditures for 1943-1945 *		17,820,850 00	
			3,793,530 16
Total obligations			$3,884,854 80

SURPLUS

Estimated Accumulated Surplus, June 30, 1945	$138,867,598 86

* Preliminary estimate, subject to revision.

Actual and Estimated General Fund Revenue 1943-1945 and 1945-1947 Biennial Periods Classified by Sources and Fiscal Years

Statement II
SCHEDULE 2

	1943-1945 Biennium*		Budget Estimates 1945-1947		Revised Estimates 1945-1947	
Taxes and license fees:	Fiscal year ending June 30, 1944	Fiscal year ending June 30, 1945	Fiscal year ending June 30, 1946	Fiscal year ending June 30, 1947	Fiscal year ending June 30, 1946	Fiscal year ending June 30, 1947
Alcoholic beverage taxes and fees:						
Distilled spirits excise tax	$12,191,467 39	$15,940,622 33	$13,000,000	$11,800,000	$14,500,000	$15,000,000
Beer and wine excise tax	3,215,402 97	3,361,342 11	2,725,000	2,525,000	3,170,000	2,710,000
Liquor license fees	2,963,142 62	3,241,781 26	3,137,500	3,237,500	3,725,000	3,675,000
Bank and corporation franchise tax†	67,670,970 15	58,017,090 48	53,300,000	43,200,000	48,000,000	33,350,000
Gift tax	548,157 09	507,592 21	600,000	600,000	600,000	600,000
Inheritance tax	9,761,538 31	9,833,489 72	10,000,000	10,000,000	11,000,000	11,000,000
Insurance gross premiums tax	9,404,566 11	11,414,247 28	12,900,000	12,800,000	13,500,000	13,400,000
Motor vehicle license fees (in lieu tax)	5,506,106 38	5,643,767 85	5,544,015	5,869,213	4,159,380	5,712,224
Motor vehicle transportation license tax	5,743,545 06	6,389,498 46	5,130,000	3,930,000	5,660,000	5,330,000
Personal income tax	48,323,281 73	47,133,088 05	35,000,000	27,000,000	35,000,000	32,600,000
Private car tax	450,300 45	469,145 69	475,000	425,000	525,000	500,000
Retail sales and use taxes	135,086,342 10	150,314,238 28	117,560,000	119,565,000	150,000,000	150,000,000
Total, taxes and fees	$300,864,820 36	$312,265,903 72	$259,371,515	$240,951,713	$289,839,380	$273,877,224
Other revenue sources:						
Investment income	$724,869 76	$1,192,908 90	$1,921,000	$2,592,000	$2,282,550	$2,372,820
Interest on treasury deposits	160,690 72	138,496 78	175,000	180,000	175,000	180,000
Oil and mineral royalties, State lands	517,500 00	1,260,000 00	1,197,000	1,174,500	1,167,000	1,144,500
Pari-mutuel fees and horseracing licenses	387,862 72	1,776,033 02	-- --	1,382,800	4,611,000	3,114,000
Pay-patients and board charges, hospitals and schools	2,825,820 14	3,276,306 14	3,393,240	3,557,240	3,351,415	3,515,415
Departmental revenue	2,112,476 32	2,168,757 11	2,402,074	2,585,975	2,554,563	2,998,466
Miscellaneous revenue	340,473 80	278,271 97	269,000	239,000	282,872	244,000
Total, other sources	$7,069,693 46	$10,090,773 92	$9,357,314	$11,711,515	$14,424,400	$13,569,201
Grand total revenue	$307,934,513 82	$322,356,677 64	$268,728,829	$252,663,228	$304,263,780	$287,446,425
Less: Transfers to Postwar Employment Reserve:						
20 per cent of Sales and Use Tax receipts	$27,006,559 41	$30,048,263 56	--------	--------	--------	--------
10 per cent of bank and corporation franchise tax and corporation income tax receipts	6,810,738 51	6,332,197 70	$2,800,000	--------	$2,700,000	--------
Total transfers	$33,817,297 92	$36,380,461 26	$2,800,000	-- -----	$2,700,000	--------
Net revenue for the General Fund	$274,117,215 90	$285,976,216 38	$265,928,829	$252,663,228	$301,563,780	$287,446,425
		274,117,215 90	--------	265,928,829	--------	301,563,780
Total for biennium		$560,093,432 28		$518,592,057		$589,010,205

* As reported by the State Controller, except that the entire amount of revenue from the retail sales and use tax, the bank and corporation franchise tax, the motor vehicle transportation license tax, the personal income tax, and one-half of all receipts from liquor license fees have been treated as revenue for the General Fund in accordance with budget practice since 1941. As a result of these adjustments, the net, unearmarked total for the General Fund of $560,093,432.28 shown above for the 1943-1945 biennium exceeds by $383,750.07 the General Fund total reported by the Controller for the same period.

† Includes the Corporation Income Tax.

Statement II

SCHEDULE 3

Revised Estimate of General Fund Expenditures for 1945-1947 Biennium Giving Effect to 1945 Legislative Changes in Budget Bill, Special Appropriations, Revised Estimates of Fixed Charges and Adjusted Balances in Appropriations Carried Forward from 1943-1945

Authorized by	Governor's budget	1945 legislation	Other adjustments	Revised budget
Budget Bill	$142,158,671	$24,339,122	----------	$166,497,793
Fixed charges and recurring appropriations	333,295,908	8,134,137	—$3,449,932*	337,980,113
Special appropriations (excluding reappropriations and fixed charges)	----------	39,668,943	----------	39,668,943
Carry-over balances in 1943-1945 appropriations†	8,620,999	1,099,276	14,886,077	24,606,352
Totals	$484,075,578	$73,241,478	$11,436,145	$568,753,201
Less: Credits to General Fund for overhead services to special fund agencies	1,329,462	----------	----------	1,329,462
Net totals, General Fund expenditures	$482,746,116	$73,241,478	$11,436,145	$567,423,739

* Reduction in 1945-46 apportionment for public schools	$3,475,932
Increase in contributions to Judges' Retirement System	26,000
Net reduction	$3,449,932

† Appropriations which by their terms are available for expenditure subsequent to June 30, 1945, if not expended in the 1943-1945 biennium. Adjustment represents increased balances available for expenditure in 1945-1947 as a result of lower 1943-1945 expenditures than were forecast in Governor's Budget.

Statement III

Statement of Condition of General Reserve Funds as of January 31, 1945

Current assets:	Postwar Employment Reserve	Postwar Unemployment and Construction Fund	Bond Sinking Fund of 1943
Cash in State treasury	$245,164 65	$21 14	$92 49
Bond investments at par	145,545,000 00	89,802,000 00	18,154,000 00
Premium and accrued interest on bonds purchased	518 04	197,978 86	---- -------
Interest accrued and uncollected	----------	241,486 11	----------
Total current assets	$145,790,682 69	$90,241,486 11	$18,154,092 49
Current debt	----------	----------	------ ----
Current surplus, January 31, 1946	$145,790,682 69	$90,241,486 11	$18,154,092 49

Statement IV

Statement of Actual and Estimated Revenues and Expenditures of General Reserve Funds to June 30, 1947 and Forecast of Surpluses as of June 30, 1947

Revenues	Postwar Employment Reserve	Postwar Unemployment and Construction Fund	Bond Sinking Fund of 1943
20 per cent of retail sales and use tax receipts, July 1, 1943-June 30, 1945	$57,054,822 97	---------	---------
10 per cent of bank and corporation franchise and corporation income tax receipts, July 1, 1943-December 31, 1945	15,832,537 72	---------	---------
Interest on investments—Net after amortization of premium and interest on bonds purchased (actual and estimated)	[1] ---------	[2] $1,572,000 00	[3] $279,969 99
Transfers from General Fund:			
Chapter 19, Statutes 1944 (4th Extraordinary)	50,000,000 00	---------	---------
Chapter 41, Statutes 1944 (4th Extraordinary)	25,000,000 00	---------	---------
Chapter 1446, Statutes 1945	500,000 00	---------	---------
Chapter 647, Statutes 1945	---------	90,000,000 00	---------
Chapter 611, Statutes 1943	---------	---------	14,588,249 00
Chapter 1492, Statutes 1945	---------	---------	11,651,489 75
Total revenues	$148,387,360 69	$91,572,000 00	$26,519,708 74
Authorized Expenditures			
Appropriations for plans and specifications:			
Division of Architecture (Chapter 572, Statutes 1943)	$1,250,000 00	---------	---------
Division of Architecture (Chapter 20, Statutes 1944, 4th Extraordinary)	2,000,000 00	---------	---------
University of California (Chapter 21, Statutes 1944, 4th Extraordinary)	1,100,000 00	---------	---------
University of California (Chap. 1486, Statutes 1945)	30,000 00	---------	---------
Interest and redemption of State bonds, 1945-1947	---------	---------	[4] $7,508,815 00
Total authorized expenditures	$4,380,000 00	---------	$7,508,815 00
Estimated surplus, June 30, 1947	$144,007,360 69	$91,572,000 00	[5] $19,010,893 74

Notes:

[1] Interest on investments of this reserve accrue to the General Fund.

[2] Inasmuch as no appropriations had been made from this fund prior to the Special Session of 1946, this estimate assumes no disbursements from the fund prior to June 30, 1947, as directed by Assembly Concurrent Resolution No. 18. Any disbursements pursuant to appropriations enacted at the Special Session will proportionately reduce interest revenues.

[3] Actual to July 18, 1945, after which interest accrues to the General Fund.

[4] Represents interest and redemption on all General Fund bonds, not otherwise provided for, maturing in 1945-1947. Chapter 1492, Statutes 1945, also authorizes expenditures from the fund for interest and redemption of all such General Fund bonds until 1965, when final redemption is due. The total additional expenditures for this purpose in subsequent biennial periods will amount to $18,730,923.75.

[5] $5,000,000 of this surplus is contingent upon repayment to the State of the amount advanced to the Golden Gate Bridge and Highway District, pursuant to Chapter 1505, Statutes of 1945, for construction of a new Marin approach to the Golden Gate Bridge. Under the contract with the district repayment is to be made within seven years after final redemption of the district's outstanding bonds, scheduled for 1971.

MOTION TO PRINT IN JOURNAL

Senator Hulse moved that the following statement regarding proposed allocation of the $90,000,000 fund to cities and counties be printed in the Journal:

Motion carried:

THESE ARE ESTIMATES

Proposed Allocation of $90,000,000 Fund to Cities and Counties Under S. B. 90 and A. B. 60, Including Amendments to A. B. 60 Adopted by the Senate Governmental Efficiency Committee, January 24, 1946

Alameda County		$6,358,586
To county		2,116,164
Roads	$218,832	
Other	1,897,332	
Alameda		324,949
Albany		103,007
Berkeley		766,726
Emeryville		22,595
Hayward		60,372
Livermore		25,857
Oakland		2,708,174
Piedmont		88,425
Pleasanton		11,454
San Leandro		130,863
Alpine County		$108,276
To county		108,276
Roads	$7,144	
Other	101,132	
Amador County		$228,337
To county		193,678
Roads	$62,241	
Other	131,437	
Amador		2,232
Jackson		18,140
Plymouth		4,123
Sutter Creek		10,164
Butte County		$663,501
To county		514,783
Roads	$264,693	
Other	250,090	
Biggs		4,903
Chico		83,236
Gridley		20,955
Oroville		39,624
Calaveras County		$238,549
To county		228,125
Roads	$99,323	
Other	128,802	
Angels		10,424
Colusa County		$281,739
To county		253,963
Roads	$119,671	
Other	134,292	
Colusa		20,480
Williams		7,296
Contra Costa County		$1,212,255
To county		710,223
Roads	$258,297	
Other	451,926	
Antioch		45,763
Concord		12,306
El Cerrito		55,004
Hercules		3,074
Martinez		66,153
Pinole		8,371
Pittsburg		85,324
Richmond		211,894
Walnut Creek		14,143
Del Norte County		$153,034
To county		140,818
Roads	$24,194	
Other	116,624	
Crescent City		12,216
El Dorado County		$279,797
To county		252,336
Roads	$105,988	
Other	146,348	
Placerville		27,461
Fresno County		$2,275,893
To county		1,532,478
Roads	$806,876	
Other	725,602	
Clovis		14,573
Coalinga		45,046
Firebaugh		6,310
Fowler		13,722
Fresno		543,897
Kingsburg		13,480
Parlier		6,955
Reedley		28,412
Sanger		36,003
San Joaquin		2,151
Selma		32,866
Glenn County		$311,451
To county		279,356
Roads	$136,631	
Other	142,725	
Orland		12,243
Willows		19,852
Humboldt County		$675,979
To county		480,406
Roads	$219,904	
Other	260,502	
Arcata		16,626
Blue Lake		4,508
Eureka		152,858
Ferndale		8,075
Fortuna		12,664
Trinidad		842

Proposed Allocation of $90,000,000 Fund to Cities and Counties—Continued

Imperial County		$934,340
To county		636,565
Roads	$327,266	
Other	309,299	
Brawley		105,024
Calexico		48,533
Calipatria		16,124
El Centro		89,779
Holtville		15,882
Imperial		13,381
Westmorland		9,052
Inyo County		$275,574
To county		262,220
Roads	$135,506	
Other	126,714	
Bishop		13,354
Kern County		$1,598,701
To county		1,238,206
Roads	$664,800	
Other	573,406	
Bakersfield		262,175
Delano		40,986
Maricopa		6,005
Shafter		11,275
Taft		28,725
Tehachapi		11,329
Kings County		$545,941
To county		438,058
Roads	$214,847	
Other	223,211	
Corcoran		18,750
Hanford		73,798
Lemoore		15,335
Lake County		$219,414
To county		206,060
Roads	$77,790	
Other	128,270	
Lakeport		13,354
Lassen County		$350,941
To county		336,825
Roads	$186,098	
Other	150,727	
Susanville		14,116
Los Angeles County		$33,007,950
To county		12,027,321
Roads	$2,167,833	
Other	9,859,488	
Alhambra		348,960
Arcadia		81,757
Avalon		14,672
Azusa		46,686
Bell		100,955
Beverly Hills		240,405
Burbank		307,750
Claremont		27,399
Compton		145,177
Covina		27,327
Culver City		80,449
El Monte		42,537
El Segundo		33,502
Gardena		52,960
Glendale		740,152
Glendora		25,293
Hawthorne		74,058
Hermosa Beach		64,504
Huntington Park		256,761
Inglewood		269,901
La Verne		27,712
Long Beach		1,472,300
Los Angeles		13,482,272
Lynwood		98,428
Manhattan Beach		57,343
Maywood		96,178
Monrovia		114,784
Montebello		71,844
Monterey Park		76,460
Palos Verdes Estates		8,846
Pasadena		733,716
Pomona		210,971
Redondo Beach		117,339
San Fernando		81,506
San Gabriel		106,359
San Marino		73,269
Santa Monica		479,500
Sierra Madre		41,058
Signal Hill		28,537
South Gate		241,498
South Pasadena		128,667
Torrance		89,178
Vernon		7,618
West Covina		9,608
Whittier		144,433
Madera County		$453,528
To county		378,116
Roads	$196,436	
Other	181,680	
Chowchilla		17,540
Madera		57,872
Marin County		$675,330
To county		408,134
Roads	$122,775	
Other	285,359	
Belvedere		4,096
Corte Madera		9,841
Fairfax		19,700
Larkspur		13,964
Mill Valley		43,442
Ross		15,694
San Anselmo		51,894
San Rafael		76,837
Sausalito		31,728
Mariposa County		$192,865
To county		191,442
Roads	$71,805	
Other	119,637	
Hornitos		1,425
Mendocino County		$463,617
To county		383,267
Roads	$185,646	
Other	197,621	
Fort Bragg		28,994
Point Arena		3,352
Ukiah		33,440
Willits		14,564

Proposed Allocation of $90,000,000 Fund to Cities and Counties—Continued

Merced County	$728,547
To county	577,868
Roads $313,246	
Other 264,622	
Atwater	11,069
Dos Palos	8,765
Gustine	12,144
Livingston	8,022
Los Banos	19,843
Merced	90,836
Modoc County	$243,954
To county	225,222
Roads $94,696	
Other 130,526	
Alturas	18,732
Mono County	$142,279
To county	142,279
Roads $34,224	
Other 108,055	
Monterey County	$958,989
To county	659,772
Roads $303,905	
Other 355,867	
Carmel	25,427
King City	15,846
Monterey	90,379
Pacific Grove	56,007
Salinas	103,841
Soledad	7,717
Napa County	$410,530
To county	315,329
Roads $115,469	
Other 199,860	
Calistoga	10,074
Napa	69,371
St. Helena	15,756
Nevada County	$350,196
To county	277,186
Roads $109,628	
Other 167,558	
Grass Valley	51,096
Nevada City	21,914
Orange County	$1,597,430
To county	849,463
Roads $291,346	
Other 558,117	
Anaheim	98,867
Brea	23,007
Fullerton	93,588
Huntington Beach	33,502
Laguna Beach	39,973
La Habra	22,398
Newport Beach	39,776
Orange	70,814
Placentia	13,193
San Clemente	4,293
Santa Ana	286,096
Seal Beach	13,919
Tustin	8,541
Placer County	$466,705
To county	338,549
Roads $140,073	
Other 198,476	
Auburn	35,967
Colfax	7,116
Lincoln	18,320
Rocklin	7,125
Roseville	59,628
Plumas County	$251,179
To county	251,179
Roads $110,721	
Other 140,458	
Riverside County	$1,566,813
To county	991,943
Roads $522,240	
Other 469,703	
Banning	34,721
Beaumont	19,789
Blythe	21,107
Corona	78,548
Elsinore	13,910
Hemet	23,258
Indio	20,578
Palm Springs	30,778
Perris	9,061
Riverside	310,967
San Jacinto	12,153
Sacramento County	$2,087,197
To county	1,093,708
Roads $396,947	
Other 696,761	
Isleton	16,464
North Sacramento	27,363
Sacramento	949,662
San Benito County	$255,181
To county	214,320
Roads $74,408	
Other 139,912	
Hollister	34,784
San Juan Bautista	6,077
San Bernardino County	$2,159,656
To county	1,283,406
Roads $618,965	
Other 664,441	
Chino	37,679
Colton	86,812
Needles	32,481
Ontario	127,242
Redlands	128,381
Rialto	15,864
San Bernardino	391,183
Upland	56,608
San Diego County	$3,701,389
To county	1,547,115
Roads $433,386	
Other 1,113,729	
Chula Vista	46,050
Coronado	62,129
El Cajon	13,184
Escondido	40,870
La Mesa	35,178
National City	92,709
Oceanside	41,685
San Diego	1,822,469
San Francisco County	$8,409,959
To county	2,722,850
Roads $399,756	
Other 2,323,094	
San Francisco	5,687,109

Proposed Allocation of $90,000,000 Fund to Cities and Counties—Continued

San Joaquin County		$1,632,894
To county		989,109
Roads	$418,915	
Other	570,194	
Lodi		99,297
Manteca		17,755
Stockton		490,381
Tracy		36,352
San Luis Obispo County		$546,492
To county		429,835
Roads	$213,358	
Other	216,477	
Arroyo Grande		9,769
Paso Robles		27,291
San Luis Obispo		79,597
San Mateo County		$1,397,719
To county		648,579
Roads	$156,951	
Other	491,628	
Atherton		17,101
Belmont		11,015
Burlingame		142,864
Colma		3,173
Daly City		86,265
Hillsborough		24,620
Menlo Park		29,200
Redwood City		111,612
San Bruno		58,427
San Carlos		31,548
San Mateo		173,902
South San Francisco		59,413
Santa Barbara County		$932,148
To county		512,169
Roads	$164,980	
Other	347,189	
Lompoc		30,285
Santa Barbara		313,315
Santa Maria		76,379
Santa Clara County		$2,082,440
To county		1,104,590
Roads	$391,657	
Other	712,933	
Alviso		6,068
Gilroy		32,400
Los Gatos		32,239
Morgan Hill		9,088
Mountain View		35,367
Palo Alto		150,339
San Jose		613,554
Santa Clara		59,601
Sunnyvale		39,194
Santa Cruz County		$623,027
To county		391,495
Roads	$133,638	
Other	257,857	
Santa Cruz		151,433
Watsonville		80,099
Shasta County		$487,889
To County		415,211
Roads	$214,310	
Other	200,901	
Redding		72,678
Sierra County		$159,498
To county		151,208
Roads	$40,610	
Other	110,598	
Loyalton		8,290
Siskiyou County		$486,209
To county		402,057
Roads	$201,864	
Other	200,193	
Dorris		7,735
Dunsmuir		21,143
Etna		4,087
Fort Jones		3,227
Montague		4,150
Mount Shasta		14,502
Tulelake		7,036
Yreka		22,272
Solano County		$687,007
To county		428,012
Roads	$155,927	
Other	272,085	
Benicia		21,681
Dixon		9,931
Fairfield		11,759
Rio Vista		14,932
Suisun City		6,328
Vacaville		14,466
Vallejo		179,898
Sonoma County		$890,382
To county		648,668
Roads	$306,745	
Other	341,923	
Cloverdale		7,251
Healdsburg		22,469
Petaluma		72,006
Santa Rosa		112,974
Sebastopol		16,635
Sonoma		10,379
Stanislaus County		$994,712
To county		738,425
Roads	$376,132	
Other	362,293	
Ceres		11,938
Modesto		146,799
Newman		10,881
Oakdale		23,231
Patterson		9,940
Riverbank		10,128
Turlock		43,370
Sutter County		$357,372
To county		312,846
Roads	$147,401	
Other	165,445	
Yuba City		44,526
Tehama County		$354,610
To county		305,576
Roads	$155,420	
Other	150,156	
Corning		13,193
Red Bluff		34,273
Tehama		1,568

Proposed Allocation of $90,000,000 Fund to Cities and Counties—Continued

Trinity County	$178,682
To county	178,682
Roads $64,773	
Other 113,909	
Tulare County	$1,468,275
To county	1,139,804
Roads $664,397	
Other 475,407	
Dinuba	33,968
Exeter	34,802
Lindsay	39,409
Porterville	56,196
Tulare	74,022
Visalia	79,803
Woodlake	10,271
Tuolumne County	$228,155
To county	207,926
Roads $69,783	
Other 138,143	
Sonora	20,229
Ventura County	$859,998
To county	540,544
Roads $196,403	
Other 344,141	
Fillmore	29,146
Ojai	14,537
Oxnard	76,353
Santa Paula	80,538
Ventura	118,880
Yolo County	$463,296
To county	378,670
Roads $183,224	
Other 195,446	
Davis	14,986
Winters	10,155
Woodland	59,485
Yuba County	$333,624
To county	269,613
Roads $109,934	
Other 159,679	
Marysville	59,566
Wheatland	4,445

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Joint Resolution No. 18
Assembly Joint Resolution No. 23
Assembly Concurrent Resolution No. 23

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following resolutions were read:

Assembly Joint Resolution No. 18—Relative to memorializing Congress to provide for an increase in the National minimum wage structure.

Referred to Committee on Rules.

Assembly Joint Resolution No. 23—Relative to housing for veterans.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 23—Relative to commending General Douglas MacArthur.

Referred to Committee on Rules.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day respectfully refused to concur in Senate amendments to:

Assembly Bill No. 62—An act to amend Section 699.5 of the Military and Veterans Code, relating to assistance to veterans, prescribing the powers and duties of the Veterans' Welfare Board in aiding veterans in connection with veterans' rights, privileges, and preferences, and making an appropriation;

And appointed Messrs. McCollister, Geddes, and Burkhalter, as a Committee on Conference to meet a like committee from the Senate.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. Lewright, Assistant Clerk

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, February 14, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 37—An act to provide a unified program of construction, improvement, and equipment for State agencies, creating a State Public Works Board, and making an appropriation to carry out the provisions of this act;

And reports that the same has been correctly enrolled, and presented to the Governor on the fourteenth day of February, 1946, at 11 a.m.

SEAWELL, Chairman

Committee on Finance

SENATE CHAMBER, SACRAMENTO, February 13, 1946

MR. PRESIDENT: Your Committee on Finance, to which was referred:

Senate Bill No. 95

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 11; committee vote: Ayes 6; noes 4; absent 1.

RICH, Chairman

REQUEST FOR UNANIMOUS CONSENT

Senator Swing asked for, and was granted, unanimous consent to take up Senate Bill No. 95, at this time, for consideration of committee amendments.

CONSIDERATION OF SENATE BILL NO. 95

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 95—An act to provide for a program of postwar acquisition, construction, improvement and equipment of property and facilities for the protection, propagation and preservation of fish and game, and to make an appropriation to carry out such program.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance:

Amendment No. 1

On page 1 of the printed bill, as amended in Senate on February 13, 1946, Strike out lines 21 and 22.

Amendment No. 2

On page 2 of said bill, strike out line 1 and insert

"SEC. 2. There is hereby appropriated out of the State Park Fund $2,725,000 and out of the State Beach Fund $2,725,000,".

Amendment No. 3

On page 3 of said bill, following line 51, insert

"23a. Black Bass Hatchery and rearing ponds and necessary facilities to be located in the San Joaquin or Sacramento valleys_____ 100,000.00"

Amendment No. 4

On page 4, line 12, of said bill, strike out "$3,037,500.00" and insert "$3,137,500.00".

Amendment No. 5

On page 5 of said bill, following line 39, insert

"47a. Waterfowl development projects in Plumas and Sierra Counties in Sierra Valley, construction of small dams, levees, ditches, fencing, dwelling, garage, shop, storage facilities, equipment, materials and labor_____ 50,000.00".

Amendment No. 6

On page 5, line 41, of said bill, strike out "$767,500.00", and insert "$817,500.00".

Amendment No. 7

On page 7, line 46, of said bill, strike out $521,500.00", and insert "$371,500.00".

Amendment No. 8

On page 2, line 2, of said bill, strike out "sum", and insert "sums".

Amendments read and adopted.

Bill ordered printed, engrossed, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Military and Veterans Affairs

SENATE CHAMBER, SACRAMENTO, February 13, 1946

MR. PRESIDENT: Your Committee on Military and Veterans Affairs, to which was referred:

Assembly Bill No. 146

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 5; noes 3; absent 1.

QUINN, Chairman

Above reported bill ordered to second reading.

Committee on Local Government

SENATE CHAMBER, SACRAMENTO, February 13, 1946

MR. PRESIDENT: Your Committee on Local Government, to which was referred:

Assembly Bill No. 78

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 8; committee vote: Ayes 6; absent 2.

CUNNINGHAM, Chairman

Above reported bill ordered to second reading.

RESOLUTIONS

The following resolutions were offered:

By Senator Hulse:

Senate Resolution No. 32

Relative to augmenting the funds of the Senate Committee on State and Local Taxation

Resolved by the Senate of the State of California, That in addition to any money heretofore made available, the sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the Senate Committee on State and Local Taxation (created by Senate Resolution No. 127, Fifty-sixth Regular Session, adopted June 16, 1945) and its members and for any charges, expenses, or claims it may incur under said resolution, to be paid from the Contingent Fund of the Senate and disbursed after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to Committee on Rules.

By Senator Hulse:

Senate Resolution No. 33

Relative to the taking of a special census by cities

WHEREAS, The Legislature has authorized the taking of a special census by cities in order that such cities may receive gasoline and in lieu tax allocations based upon such new population figures (Chapter 581, Stats. 1943, as amended by Chapter 331, Stats. 1945, and Senate Bill No. 39, Fifty-sixth (First Extraordinary) Session; and

WHEREAS, The procedure for making application to J. C. Capt, Director of the Bureau of the Census, U. S. Department of Commerce, Washington, D. C., is substantially as follows:

Department of Commerce
Bureau of the Census
Washington

"Procedure in taking a special census under Federal supervision

1. A formal request for the census, setting forth the reasons for desiring a special census, is addressed to the Director of the Census by the mayor or other responsible official of the city or other area concerned.
2. An estimate of the cost is furnished by the Census Bureau.
3. There is deposited in a local bank, subject to the order of the supervisor, an amount sufficient to cover his traveling expenses and subsistence at $6 per day for the estimated time required to take the census.
4. A regular census employee is designated as supervisor, and upon his arrival attends to the necessary arrangements, including the selection and instruction of enumerators, the appointment of such clerical assistance as may be necessary, and, usually, the printing of the schedules. The compensation of the enumerators and other assistants is to be paid by the city or town; the salary of the supervisor is paid by the Bureau of the Census, but his railroad and Pullman fares and expense allowance are to be paid by the city or town, together with the cost of printing and other incidental items.
5. The supervisor brings with him a formal agreement between the local official requesting the census and the Director of the Census, which is to be signed in duplicate, before the work of organizing the force of enumerators is undertaken.
6. The enumeration is conducted in a manner similar to that of the Federal decennial census, except that the schedule used is usually very much simpler than that used in the 1940 census.
7. A preliminary count is made by the supervisor, and the results announced locally.
8. The schedules are forwarded to the Bureau of the Census in Washington where a final count is made, and a certificate of the population is issued by the Director of the Census;" and

WHEREAS, The approximate cost of taking such a census as demonstrated by more than 75 cities in 23 counties is six cents per capita; and

WHEREAS, It is the desire of the members of the Senate that the governing body of every city be fully advised of the existing law and the amendment thereto adopted at this special session; now, therefore, be it

Resolved by the Senate of the State of California, That the Secretary of the Senate be directed to send a copy of this resolution and copies of Chapter 581, Stats. 1943, as amended by Chapter 331, Stats. 1945, and Senate Bill No. 39, Fifty-sixth (First Extraordinary) Session to the governing body of every city in the State of California.

Resolution read, and referred to Committee on Rules.

MOTION TO CONSIDER SENATE BILL NO. 40

Senator Shelley moved that the Senate take up Senate Bill No. 40 at this time for the purpose of considering Assembly amendments.

Motion carried.

CONSIDERATION OF ASSEMBLY AMENDMENTS

Senate Bill No. 40—An act to add Section 18 and Article 10, comprising Sections 150 to 404 to, and to amend Sections 19, 20, and 40 of, the Unemployment Insurance Act, to establish a system of unemployment compensation disability benefit payments.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Bill No. 40?

Amendment No. 1

On page 2, line 13, of the printed bill as amended in the Senate on January 29, 1946, after "injury", strike out the period, and insert "and the commission finds that there is good cause for paying such benefits."

Amendment No. 2

On page 3 of said bill, strike out lines 13 to 17, inclusive, and insert

"SEC. 204. An individual if eligible shall be entitled to both unemployment compensation disability benefits and unemployment compensation benefits in the same benefit year, provided, however, that the total amount of unemployment compensation benefits plus the total amount of unemployment compensation disability benefits shall not exceed in any benefit year one and one-half times the total amount of benefits to which such individual would be entitled under Section 53 of this act."

Amendment No. 3

On page 3 of said bill, between lines 22 and 23, insert

"Each eligible individual who is unemployed in any week and is disabled for one or more full days but for less than a full week, and who is eligible for unemployment compensation benefits when not suffering from any disability shall be paid unemployment compensation benefits or unemployment compensation disability benefits as follows: Unemployment compensation benefits to be paid out of the benefit account in the unemployment fund for the whole week if the disability exists for less than a major fraction of such week, and no employer's reserve account shall be charged for such payment, and unemployment compensation disability benefits to be paid out of the unemployment compensation disability fund for the whole week if the disability exists for a major fraction of such week."

Amendment No. 4

On page 3 of said bill, strike out lines 29 to 31, inclusive, and insert

"(b) He has been continuously unemployed and disabled for a waiting period of seven consecutive days during each uninterrupted period of disability; and".

Amendment No. 5

On page 3 of said bill, strike out lines 37 to 39, inclusive, and insert

"(d) Except as provided in Section 252, he has submitted to a reasonable examination or examinations, if so required by the commission, for the purpose of the commission determining his mental or physical disability.

(e) He has filed a certificate as required by the provisions of Section 252 of this act."

Amendment No. 6

On page 4 of said bill, strike out lines 6 to 12, inclusive.

Amendment No. 7

On page 4, line 35, of said bill, after "that", strike out "a", and insert "the first".

Amendment No. 8

On page 4 of said bill, strike out line 37, and insert "a physician as defined in Section 3209.3 of the Labor Code as to the disability of the claimant and the estimated duration of such disability, provided that in the case of any individual who in good faith adheres to the teachings of any bona fide church, sect, denomination or organization and in accordance with its principles depends for healing entirely upon prayer or spiritual means, no medical examination shall be required, but in lieu thereof the commission may accept the certificate of a duly authorized and accredited practitioner of such bona fide church, sect, denomination or organization as to the disability of the claimant and the estimated duration of such disability, and no authorized regulation prescribing the manner of proof of illness or injury shall discriminate against such individual."

Amendment No. 9

On page 2, line 44, of said bill, strike out "unemployed and".

Amendment No. 10

On page 7, line 25, of said bill, after "individuals", insert "with respect to compensable weeks of disability occurring subsequent thereto".

Amendment No. 11

On page 8, line 14, of said bill, after "employees", insert "employed in this State".

Amendment No. 12

On page 8, line 17, of said bill, strike out "of the employer", and insert "so electing".

Amendment No. 13

On page 8, line 20, of said bill, strike out "benefits", and insert "rights".

Amendment No. 14

On page 8 of said bill, strike out lines 22 and 23, and insert

"(b) The plan has been made available to all of the employees of the employer employed in this State except that if the employer maintains more than one distinct separate establishment in this State the plan has been made available to all employees of any such establishment."

Amendment No. 15

On page 8 of said bill, between lines 23 and 24, insert

"(c) A majority of the employees of the employer employed in this State have consented to the plan, except that if the employer maintains more than one distinct, separate establishment in this State a majority of the employees employed at any such establishment have consented to the plan."

Amendment No. 16

On page 8 of said bill, strike out line 24, and insert

"(d) If the plan provides for insurance the form of the insurance policies".

Amendment No. 17

On page 8, line 27, of said bill, strike out "(d)", and insert "(e)".

Amendment No. 18

On page 8, line 29, of said bill, strike out the period, and insert ", if any."

Amendment No. 19

On page 8, line 30, of said bill, strike out "(e)", and insert "(f)".

Amendment No. 20

On page 8 of said bill, strike out lines 31 and 32, and insert

"(g) The plan is to be in effect for a period of not less than two years and thereafter continuously unless the commission finds that the employer or a majority of his employees employed in this State covered by such plan have given notice of the termination of such plan. Such notice shall be filed in writing with the commission and, upon such filing, shall be effective at the date indicated therein, but in any event not less than 60 days from the time of the filing of such notice.

(h) The approval of the plan or plans will not result in a substantial selection of risks adverse to the Disability Fund."

Amendment No. 21

On page 8 of said bill, strike out lines 47 to 51, inclusive; and on page 9, strike out lines 1 to 4, inclusive, and insert

"Sec. 453. Employers whose employees are participating in an approved voluntary plan and any insurer of an approved plan shall furnish such reports and information and make available to the commission such records as the commission may by authorized regulations require for the proper administration of this part.

Sec. 454. The commission shall, in accordance with authorized regulations, promptly furnish to employers, employees, or insurers, such information as may be required for the proper administration of an approved voluntary plan."

Amendment No. 22

On page 9 of said bill, strike out lines 5 to 10, inclusive, and insert

"Sec. 455. From and after the effective date on which disability benefits become payable under Section 403 of this act, neither an employee covered by a voluntary plan nor his employer is liable for the contributions required by Sections 44, 44.2 or 400 of this act with respect to wages paid by the employer for employment, and such an employee is not entitled to benefits from the Disability Fund while he is covered by the voluntary plan."

Amendment No. 23

On page 9, line 25, of said bill, strike out "plans", and insert "plan".

Amendment No. 24

On page 9 of said bill, strike out lines 29 to 31, inclusive, and insert

"Sec. 459. If any employer or insurer denies liability in whole or in part upon the claim of an employee for disability benefits under an approved plan, the employee may appeal the".

Amendment No. 25

On page 9 of said bill, strike out line 34, and insert "provided by law and authorized regulations of the commission for an appeal from an initial".

Amendment No. 26

On page 9, line 36, of said bill, after "Fund.", insert "In the event it is determined that the employee is entitled to receive disability benefits and the employer or insurer fails to pay the same within 15 days after a decision by a referee or within 10 days after a decision by the Appeals Board, the commission shall pay such benefits and assess the amount thereof against the employer or the insurer, and the provisions of Article 4 of this act with respect to the assessment and collection of contributions shall apply to the recovery of such benefit payments. Amounts so collected shall be deposited in the Disability Fund."

Amendment No. 27

On page 9 of said bill, between lines 36 and 37, insert

"Sec. 460. The commission shall, in accordance with authorized regulations, determine each fiscal year the total amount expended for added administrative work arising out of voluntary plans. The total amount so determined shall be pro rated among the approved voluntary plans in effect during that year on the basis of the amount of wages paid in employment by employers to individuals participating in such plans. The commission shall make assessments of amounts so pro-rated against the employers responsible for benefits under such approved plans. The provisions of Article 4 of this act with respect to the assessment and collection of contributions shall apply to the assessments provided by this section. The amounts collected by the commission under this section shall be added to amounts otherwise made available for administration of this article.

Sec. 461. No plan shall become effective prior to the date upon which benefits first become payable under Section 403 of this act."

Amendment No. 28

On page 9 of said bill, strike out line 37, and insert

"Sec. 462. The powers to adopt authorized regulations vested".

Amendment No. 29

On page 1, line 1, of the printed bill, as amended in the Assembly on February 8, 1946, strike out "404", and insert "462".

Amendment No. 30

On page 4, line 23, of said bill, after "or", insert "benefits".

Amendment No. 31

On page 10, line 40, of said bill, strike out "a", and insert "an approved".

Amendment No. 32

On page 2, line 32, of said bill, insert

"SEC. 154. The commission shall within 30 days after the effective date of this act submit the Unemployment Insurance Act as amended to the Social Security Board for a certification as provided in Section 1602 (b) (3) of the Federal Unemployment Tax Act.

If at any time the Federal Social Security Board rules or determines that any section or sections of Article 10 of the Unemployment Insurance Act of this State is not in conformity with the provisions of Title III of the Social Security Act and or Section 1601 and Section 1602 of the Federal Unemployment Tax Act by reason of any provision contained in said Article 10, such section or sections shall be immediately inoperative."

Amendment No. 33

On page 5, line 30, of said bill, strike out the period, and insert "; provided, however, that the last employer and each base period employer of the claimant shall be entitled to participate in such hearing."

Amendment No. 34

On page 9, line 11, of said bill, strike out the period, and insert "; the benefits payable as indemnification for loss of wages under any voluntary plan shall be separately stated and designated in the plan "unemployment compensation disability benefits" separate and distinct from other benefits, if any."

Amendment No. 35

On page 10, line 49, of said bill, after "2", insert "and the costs as set forth in Section 460".

Amendment No. 36

On page 11, line 43, of said bill, after the period, insert "The amount assessed shall not exceed .0002 per cent of the amount of wages paid in employment by employers to individuals participating in such plans."

Amendment No. 37

In line 2 of the title of the printed bill, as amended in Assembly on February 12, 1946, strike out "404", and insert "462".

Previous Question

Senator Fletcher moved the previous question.

Motion carried.

The question being on concurrence in Assembly amendments to Senate Bill No. 40.

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 40 by the following vote:

AYES—Senators Biggar, Breed, Carter, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Dorsey, Fletcher, Gordon, Jespersen, Judah, Keating, Mayo, McBride, McCormack, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, and Swing—26.

NOES—Senators Brown, Desmond, Dilworth, Hatfield, Hulse, Mixter, Parkman, Sutton, Ward, and Weybret—10.

Above bill ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT

Senator Rich asked for, and was granted, unanimous consent to have the bills reported from the Finance Committee given a second reading at this time, so they will be on third reading file on the next legislative day.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 116—An act making an appropriation for public works to facilitate the making of snow surveys.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 118—An act making an appropriation to the Department of Public Works, Division of Water Resources, for repair and restoration of a bridge damaged by storm and flood, declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 26—An act making an appropriation to the Division of Fish and Game, Department of Natural Resources, for construction, improvements, repairs and equipment.

Bill read second time, and ordered to third reading.

Assembly Bill No. 51—An act making an appropriation to the Division of Forestry, Department of Natural Resources, for construction, improvements and equipment, declaring the urgency of this act, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 75—An act making an appropriation for a State School for the Deaf in the southern part of California.

Bill read second time, and ordered to third reading.

Assembly Bill No. 79—An act providing for research and its adaptation to the production, processing, distribution and utilization of agricultural products grown in the State of California and making an appropriation therefor, declaring the urgency of this act, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 99—An act making an appropriation to the Reclamation Board for the payment of the cost of the project for the Fresno County Stream Group for flood control.

Bill read second time, and ordered to third reading.

Assembly Bill No. 105—An act making an appropriation to the Department of Agriculture for construction, maintenance and equipment to provide housing facilities at State border quarantine stations, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 138—An act to add Article 7 to Chapter 12 of Division 3 of the Education Code, relating to the support of the public schools, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 148—An act making an appropriation for construction, improvement, repairs and equipment of Camp Taylor State Park, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 153—An act making an appropriation to the Department of Agriculture for the acquisition of real property, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

ADJOURNMENT

At 2.10 p.m., on motion of Senator Seawell, the President declared the Senate adjourned until 10.30 a.m., Friday, February 15, 1946.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-SIXTH (FIRST EXTRAORDINARY) SESSION

SENATE DAILY JOURNAL

THIRTIETH LEGISLATIVE DAY
FORTIETH CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO
Friday, February 15, 1946

The Senate met at 10.30 a.m.
Hon. Frederick F. Houser, President of the Senate, presiding.
Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—39.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Dr. Clarence A. Kircher.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Ault and Mrs. Keeney of Sacramento, and Mr. and Mrs. Robert Wright of Los Angeles.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 32
Senate Bill No. 33
Senate Bill No. 92
Senate Bill No. 94
Senate Bill No. 109

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

Above bills ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended:

Senate Bill No. 3
Senate Bill No. 42

And respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

Above bills ordered to unfinished business file.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Joint Resolution No. 4

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

Above resolution ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

Assembly Bill No. 147
Assembly Bill No. 52

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 155
Assembly Bill No. 165

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Joint Resolution No. 16
Assembly Joint Resolution No. 17

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Joint Resolution No. 25

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

Assembly Bill No. 155—An act to amend Section 6951 of the Business and Professions Code, relating to the regulation and licensing of collection agencies, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Rules.

Assembly Bill No. 165—An act to add Section 703 to the Military and Veterans Code, to amend Sections 19485, 19597, 19620, and 19627 of, and to add Section 19485.5 to, the Business and Professions Code, to provide money for the rehabilitation of veterans and assistance to veterans and their dependents from the proceeds of horse racing meetings.

Referred to Committee on Rules.

Assembly Joint Resolution No. 16—Relative to memorializing the Congress of the United States to provide for a survey of the fisheries of the Pacific Ocean.

Referred to Committee on Rules.

Assembly Joint Resolution No. 17—Relative to the development of tuna fishing in the Pacific Ocean.

Referred to Committee on Rules.

Assembly Joint Resolution No. 25—Relative to memorializing the President of the United States to appoint a westerner Secretary of the Interior.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, February 14, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 119

And reports the same correctly engrossed.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, February 14, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 116
Senate Bill No. 118

And reports the same correctly engrossed.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, February 15, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Concurrent Resolution No. 17
Senate Joint Resolution No. 8
Senate Joint Resolution No. 10

And reports the same correctly engrossed.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, February 15, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 79
Senate Constitutional Amendment No. 2

And reports the same correctly re-engrossed.

SEAWELL, Chairman

Committee on Fish and Game

SENATE CHAMBER, SACRAMENTO, February 14, 1946

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred:

Senate Bill No. 121

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 11; committee vote: Ayes 7; noes 4.

GORDON, Chairman

Above reported bill ordered to second reading.

Committee on Governmental Efficiency

SENATE CHAMBER, SACRAMENTO, February 15, 1946

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which were referred:

Senate Bill No. 120
Senate Bill No. 123
Assembly Bill No. 142

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; absent 2.

SWING, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, February 15, 1946

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which were referred:

Assembly Bill No. 49
Assembly Bill No. 50
Assembly Bill No. 76
Assembly Bill No. 83

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 11; committee vote: Ayes 8; noes 1; absent 2.

SWING, Chairman

Above reported bills re-referred to Committee on Rules.

THE FOLLOWING PROPOSED BILLS WERE READ, AND REFERRED TO COMMITTEE ON RULES

By Senator Hatfield—An act to amend Section 24626 of the Education Code, relating to the use of county funds for the support and maintenance of extension work in agriculture and home economics.

CONSIDERATION OF DAILY FILE
SECOND READING OF SENATE BILLS

Senate Bill No. 122—An act to amend Section 9102 of the Government Code, relating to the salaries of employees in the legislative offices, declaring the urgency hereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 143—An act to amend Section 44 of the County Employees Retirement Act of 1937, relating to elective officers' declarations to become members of county retirement associations, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 152—An act to add Section 7.5 to the Municipal Court Act of 1925, relating to the compensation of attaches of municipal courts in cities of the first and one-half class who return from service with the armed forces of the United States.

Bill read second time, and ordered to third reading.

Assembly Bill No. 146—An act to amend Section 4300c of the Political Code, and Section 6107 of the Government Code, relating to the recordation and issuance of certified copies of documents of discharge, service, release, and separation of veterans.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military and Veterans Affairs:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "the Political Code, and", and insert ", and to add Section 4131.5 to, the Political Code, and to amend".

Amendment No. 2

On page 1 of said bill, before line 1, insert

"SECTION 1. Section 4131.5 is added to the Political Code, to read:

4131.5. The recorder may record the discharge and service record or other document of separation from active military service of any person discharged or released from the armed forces of the United States by photography or other reproduction process, in books of the kind described in Section 4131. This section shall remain in effect

until 18 months after it becomes effective, and while in effect shall supersede any existing provisions of law with which it is in conflict; but such provisions are not repealed by this section and after this section is no longer effective shall have the same force as though this section had not been enacted."

Amendment No. 3

On page 1, line 1, of said bill, strike out "SECTION 1", and insert "SEC. 2".

Amendment No. 4

On page 3, line 7, of said bill, strike out "2", and insert "3".

Amendment No. 5

On page 1, line 11, of the printed bill, strike out "hereinafter or".

Amendment No. 6

On page 1, line 12, of said bill, strike out "; and pro-"; and strike out lines 13 to 23, inclusive.

Amendments read and adopted.

Bill ordered printed, and to third reading.

Assembly Bill No. 78—An act authorizing any county, or city and county to expend public funds and to expend, use, or permit the use of public property or personnel to meet emergencies arising out of conditions created by the reconversion from a wartime to a peacetime economy, irrespective of budget or other limitations, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Local Government:

Amendment No. 1

On page 2, of the printed bill, as amended in Assembly on February 5, 1946, between lines 4 and 5 insert

"(8) General and special county road district funds, including supervisorial road district funds and road improvement district funds.

(9) Special district funds of districts not coterminous with the county or city and county."

Amendment read and adopted.

Bill ordered printed, and to third reading.

MOTION TO RECONSIDER

Senate Bill No. 104—An act to add Section 126 to the Government Code, relating to the acquisition of land in this State by the United States and the consent of the Legislature to such acquisition upon the conditions and subject to the reservations in this act prescribed.

Motion to Reconsider Waived

Senator Fletcher, pursuant to his motion previously made, waived his motion to reconsider the vote whereby the Assembly amendments to Senate Bill No. 104 were concurred in.

Senate Bill No. 104 ordered enrolled.

THIRD READING OF SENATE BILLS

Senate Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by amending Section 14 of Article I thereof, relating to the rights of private property.

Resolution read.

Motion to Re-refer Senate Constitutional Amendment No. 2

Senator Mayo moved that Senate Constitutional Amendment No. 2 be re-referred to Committee on Judiciary.

Motion carried.

Senate Bill No. 79—An act to add Section 1247.5 to the Code of Civil Procedure, relating to eminent domain.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Carter, Collier, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Fletcher, Gordon, Hatfield, Hulse, Mayo, McBride, McCormack, Powers, Quinn, Salsman, Seawell, Slater, Sutton, and Weybret—26.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Concurrent Resolution No. 17—Relative to the Joint Fact-Finding Committee on Highways, Streets and Bridges.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Brown, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Slater, Sutton, Tenney, Ward, and Weybret—33.

NOES—None.

Resolution ordered transmitted to the Assembly.

REQUEST FOR UNANIMOUS CONSENT

Senator Seawell asked for, and was granted, unanimous consent to have the report from the Committee on Rules read, and the proposed bills given a number, read for the first time and referred to Committee.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, February 15, 1946

MR. PRESIDENT: Your Committee on Rules, to which were referred:

Proposed Senate Bill No. 126
Proposed Senate Bill No. 127

Has had the same under consideration, and finds that same are within the purview of the call, and directs that they be referred to the Committee on Agriculture.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following bills were introduced, and read the first time:

Senate Bill No. 124: By Senator Hatfield—An act to create an Agricultural Research Study Committee, provide for its powers and duties, and making an appropriation.

Referred to Committee on Agriculture.

Senate Bill No. 125: By Senator Hatfield—An act to amend Section 24626 of the Education Code, relating to the use of county funds for

the support and maintenance of extension work in agriculture and home economics.

Referred to Committee on Agriculture.

MOTION TO PRINT SENATE BILLS NOS. 124 AND 125

Senator Hatfield moved that Senate Bills Nos. 124 and 125 be sent to print with a rush order.

Motion carried.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 119—An act to add Section 19626.5 to the Business and Professions Code, authorizing Agricultural District 1A to expend money for construction, improvements and equipment, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Mayo, McCormack, Mixter, Parkman, Powers, Rich, Salsman, Seawell, Slater, Sutton, Swing, Tenney, Ward, and Weybret—32.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Mayo, McCormack, Mixter, Parkman, Powers, Rich, Salsman, Seawell, Slater, Sutton, Swing, Tenney, Ward, and Weybret—34.
NOES—None.

Bill ordered transmitted to the Assembly.

Senate Joint Resolution No. 8—Relative to encouraging the resumption of gold mining.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Mayo, McBride, McCormack, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Slater, Sutton, Tenney, Ward, and Weybret—35.
NOES—None.

Resolution ordered transmitted to the Assembly.

Senate Bill No. 116—An act making an appropriation for public works to facilitate the making of snow surveys.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Mayo, McCormack, Mixter, Parkman, Quinn, Rich, Salsman, Seawell, Slater, Sutton, Tenney, Ward, and Weybret—33.
NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 118—An act making an appropriation to the Department of Public Works, Division of Water Resources, for repair and restoration of a bridge damaged by storm and flood, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Mayo, McCormack, Mixter, Parkman, Quinn, Rich, Salsman, Seawell, Slater, Sutton, Tenney, Ward, and Weybret—31.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Quinn, Rich, Salsman, Seawell, Slater, Sutton, Tenney, Ward, and Weybret—31.
NOES—None.

Bill ordered transmitted to the Assembly.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 7—An act to amend Sections 19601, 19608, 19613, and 19616 of, and to add Sections 19613.5 and 19617 to, the Education Code, relating to child care centers, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Tenney.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hulse, Jespersen, Judah, Keating, McBride, McCormack, Mixter, Parkman, Quinn, Rich, Salsman, Seawell, Slater, Sutton, Tenney, Ward, and Weybret—32.
NOES—Senator Hatfield—1.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Jespersen, Judah, Keating, McBride, Mixter, Parkman, Quinn, Rich, Salsman, Seawell, Slater, Sutton, Tenney, Ward, and Weybret—31.
NOES—Senator Hatfield—1.

Bill ordered transmitted to the Assembly.

Chief Assistant Secretary Cleve V. Taylor at the Desk

Assembly Bill No. 144—An act to amend Section 1 of an act entitled "An act relating to public officers, deputies, assistants, and employees, and their return to public service," approved May 31, 1943, relating to the return of public officers and employees from military service and reentry into their offices and positions, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Senator Hatfield moved the adoption of the following amendments:

Amendment No. 1

In the title of the printed bill, strike out lines 1 to 5, inclusive, and insert "An act to add Section 395.1 to the Military and Veterans Code and to repeal an act entitled

"An act relating to public officers, deputies, assistants, and employees, and their return to public service," approved May 31, 1943, relating to the rights of veterans to return to public office or employment upon release from the armed services of the United States,".

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 395.1 is hereby added to the Military and Veterans Code to read:

395.1. (a) Notwithstanding any other provision of law to the contrary, any public officer, deputy, assistant, or employee of the State, or of any city, county, city and county, school district, water district, irrigation district, or any other district, political corporation, political subdivision, or governmental agency thereof who, in time of war or National emergency as proclaimed by the President or Congress, leaves or has left his office or position prior to the expiration of the Selective Training and Service Act of 1940 as amended, or any extension thereof, to join the armed forces of the United States and who does or did without unreasonable and unnecessary delay join the armed forces shall have a right, if released or discharged under conditions other than dishonorable, to return to and re-enter upon the office or position within six months after the termination of his active service with the armed forces, if the term for which he was elected or appointed has not ended during his absence. He shall also have a right to return to and reenter upon the office or position during terminal leave from the armed forces and prior to discharge or release therefrom.

(b) Upon such return and reentry to the office or employment the officer or employee shall have all of the rights and privileges in, connected with, or arising out of the office or employment which he would have enjoyed if he had not been absent therefrom; provided, however, such officer or employee shall not be entitled to sick leave, vacation or salary for the period during which he was on leave from such governmental service and in the service of the armed forces of the United States.

If the office or position has been abolished or otherwise has ceased to exist during his absence, he shall be reinstated in a position of like seniority, status and pay if such position exists, or to a comparable vacant position for which he is qualified.

(c) Any officer or employee other than a probationer who is restored to his office or employment pursuant to this act shall not be discharged from such office or position without cause within one year after such restoration, and shall be entitled to participate in insurance or other benefits offered by the employing governmental agency pursuant to established rules and practices relating to such officers or employees on furlough or leave of absence in effect at the time such officer or employee left his office or position to join the armed forces of the United States.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

Nearly 1,000,000 California veterans have been discharged or will be discharged from the armed services of the United States within the next few months. Many of these veterans left positions of public office and employment without a clear understanding of their rights of reinstatement. There is a lack of clarity and uniformity in the various laws governing the rights of such veterans. In order that all such veterans may have a uniform right to reinstatement and may resume their proper places in the civil life of the community at the earliest opportunity, it is necessary that this act take immediate effect.

SEC. 3. The act cited in the title hereof is hereby repealed."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 21, inclusive; and strike out page 2.

Amendments read and adopted.

Bill ordered printed, and to third reading.

Assembly Bill No. 66—An act to add Section 6060.5 to the Business and Professions Code, relating to bar examinations of veterans.

Bill read third time, and presented by Senator Quinn.

Previous Question

Senator Deuel moved the previous question.

Motion carried.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Jespersen,

Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Salsman, Seawell, Slater, Swing, Tenney, and Weybret—30.
NOES—Senators DeLap, Hatfield, Hulse, Judah, Rich, Sutton, and Ward—7.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 151—An act to add Section 10.5 to the Housing Authorities Law, relating to housing.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Hatfield, Hulse, Jespersen, Judah, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Slater, Sutton, Swing, Tenney, and Ward—35.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 51—An act making an appropriation to the Division of Forestry, Department of Natural Resources, for construction, improvements and equipment, declaring the urgency of this act, to take effect immediately.

Bill read third time, and presented by Senator Mayo.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Slater, Sutton, Swing, Tenney, Ward, and Weybret—37.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, DeLap, Desmond, Dillinger, Donnelly, Dorsey, Fletcher, Hatfield, Hulse, Jespersen, Judah, Keating, Mayo, McBride, McCormack, Mixter, Powers, Quinn, Rich, Salsman, Seawell, Slater, Sutton, Swing, Tenney, Ward, and Weybret—33.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 109—An act to amend Section 4460 of the Labor Code, relating to workmen's compensation.

Bill read third time.

Motion to Amend

Senator Carter moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 34, of the printed bill, as amended, in the Senate on February 14, 1946, strike out "as is hereafter sustained", and insert "resulting from an original injury sustained after this section becomes effective".

Amendment read and adopted.

Bill ordered printed, and to third reading.

Assembly Bill No. 75—An act making an appropriation for a State School for the Deaf in the southern part of California.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Mayo, McBride, McCormack, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Slater, Sutton, Swing, Tenney, Ward, and Weybret—36.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 26—An act making an appropriation to the Division of Fish and Game, Department of Natural Resources, for construction, improvements, repairs and equipment.

Bill read third time, and presented by Senator Quinn.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Seawell, Slater, Sutton, Swing, Tenney, Ward, and Weybret—34.

NOES—None.

Bill ordered transmitted to the Assembly.

MOTION TO PRINT IN JOURNAL

Senator Quinn moved that the following statement prepared by the Fish and Game Commission regarding allocations under Assembly Bill No. 26 be printed in the Journal.

Motion carried.

Re Assembly Bill No. 26, as Amended January 24, 1946

Summary of projects for construction, improvement, repairs and equipment by the Fish and Game Commission

For the	Bureau of Fish Conservation	$385,000 00
	Bureau of Game Conservation	30,000 00
	Bureau of Game Farms	90,000 00
	Bureau of Marine Fisheries	162,500 00
	Total	$667,500 00

BUREAU OF FISH CONSERVATION PROJECTS

1. Cedar Creek Hatchery — $150,000 00
   Located on Cedar Creek, in northern Mendocino County, this project will replace two former hatcheries, now abandoned, and, with its new buildings for hatchery, rearing ponds, workshops, dwellings, garages, and equipment, will serve the streams of the entire North Coast, in the restocking of trout of species advantageous for sportsmen, such as steelhead and rainbow trout.

2. Crystal Lake Hatchery, Shasta County — 225,000 00
   This new project is located on property now owned by the Commission—the Baum Ranch—and as a complete hatchery with rearing ponds, etc., will increase the production of trout in the waters of Tehama, Shasta, Butte and other counties.

3. Darrah Springs Rearing Ponds — 10,000 00
   This amount is for acquisition of lands and waters in Tehama County for constructing rearing ponds for raising trout. These are "warm" waters and when this property and project can be developed, it will become second to Fillmore or Hot Creek in its production of "catchable-sized fish."

BUREAU OF GAME CONSERVATION PROJECTS

1. Tule Lake and Madeline Reservoirs — $30,000 00
   Located in Lassen and Modoc Counties, these present reservoirs are being used in active management of migratory waterfowl, as well as producing water for other game birds, also deer and antelope. Repairs are necessary to prevent further destruction. Also, some ditches and gates are needed.

BUREAU OF GAME FARMS PROJECTS

1. Redding Game Farm, Shasta County Dwelling and garage; brooder house and rearing pens.	$9,500 00
2. Yountville Game Farm, Napa County Brooder house and rearing pens.	7,000 00
3. Sacramento Game Farm, Sacramento County Brooder house and rearing pens; remodel living quarters.	2,500 00
4. Fresno Game Farm, Fresno County Remodel living quarters.	1,000 00
5. Chico Game Farm, Butte County Brooder house, rearing pens, dwelling, garage, workshop, feed storage, water system, etc., on area donated by sportsmen.	20,000 00
6. Marysville Game Farm, Yuba County Brooder house, rearing pens, dwelling, garage, food storage, workshop, etc.	15,000 00
7. Brawley Game Farm, Imperial County (Same as Item No. 5.)	20,000 00
8. Porterville Game Farm, Tulare County (Same as Item No. 6.)	15,000 00

BUREAU OF MARINE FISHERIES PROJECTS

Except for Item No. 5, these projects are for fishways over obstructions to enable salmon and steelhead to migrate to their spawning grounds and thus aid natural reproduction. Item No. 5 is for weirs to prevent migratory fish from entering non-reproductive waters.

1. Clough Dam, on Mill Creek	$17,500 00
2. Daguerre Point Dam	10,000 00
3. Sutter Butte Dam	15,000 00
4. Butte Creek (several ladders)	50,000 00
5. Salt Slough, on San Joaquin River	40,000 00
6. Woodbridge Dam, on Mokelumne River	30,000 00

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 105—An act making an appropriation to the Department of Agriculture for construction, maintenance and equipment to provide housing facilities at State border quarantine stations, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Hatfield.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Judah, Keating, Mayo, McBride, McCormack, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, and Weybret—33.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Slater, Sutton, Swing, Tenney, and Weybret—37.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 148—An act making an appropriation for construction, improvement, repairs and equipment of Camp Taylor State Park, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Keating.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Donnelly, Dorsey, Fletcher, Hatfield, Hulse, Keating, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, and Weybret—30.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Hatfield, Hulse, Jespersen, Keating, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Slater, Sutton, Swing, Tenney, Ward, and Weybret—34.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Concurrent Resolution No. 24—Relative to memorializing the State Park Commission in regard to the operation and maintenance of the recently acquired State park known as Camp Taylor.

Resolution read, and presented by Senator Keating.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Dorsey, Fletcher, Hatfield, Hulse, Jespersen, Judah, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Slater, Sutton, Swing, Tenney, Ward, and Weybret—35.
NOES—None.

Resolution ordered transmitted to the Assembly.

Secretary J. A. Beek at the Desk

Assembly Bill No. 153—An act making an appropriation to the Department of Agriculture for the acquisition of real property, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Hatfield.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Salsman, Seawell, Slater, Sutton, Tenney, Ward, and Weybret—34.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Slater, Sutton, Swing, Tenney, Ward, and Weybret—38.
NOES—None.

Bill ordered transmitted to the Assembly.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Joint Resolution No. 3—Relative to proposed reparations to Japanese detained during the war in United States relocation centers, and memorializing Congress in regard thereto.

Resolution read.

Motion to Amend

Senator Seawell moved the adoption of the following amendments:

Amendment No. 1

In the title of the printed resolution, strike out lines one to four inclusive, and insert "*Senate Joint Resolution No. 3—Relative to proposed reparations to American residents of the Philippines detained during the war in Japanese prison camps, and memorializing Congress in regard thereto.*"

Amendment No. 2

Strike out lines one to four, inclusive.

Amendment No. 3

In the printed resolution, strike out line 9 and insert "agencies; and

WHEREAS, a great many of these American residents who were prisoners of the Japanese in the Philippines have been returned to the United States through California ports and a great many of them have remained in the State of California for the purpose of regaining their health; now, therefore, be it".

Amendment No. 4

In the printed resolution, strike out lines 11, 12, 13, and 14 and insert "*fornia, jointly,* That Congress is respectfully memorialized to provide for the payment of reparations to American".

Amendments read and adopted.

Resolution ordered printed, re-engrossed, and to third reading.

Senate Bill No. 95—An act to provide for a program of postwar acquisition, construction, improvement and equipment of property and facilities for the protection, propagation and preservation of fish and game, and to make an appropriation to carry out such program.

Bill read third time.

Motion to Set Special Order

Senator Swing moved that Senate Bill No. 95 be made a special order of business for Saturday, February 16, 1946, at 11 a.m.

Motion carried.

MOTION TO TAKE BILL FROM THE INACTIVE FILE

Senator Carter moved that Senate Bill No. 108 be taken from the inactive file and placed on the third reading file.

Motion carried.

MOTION TO READ SENATE BILLS SECOND TIME

Senator Seawell moved that all Senate bills reported from committees be given second reading at this time for the purpose of having them on third reading on the next legislative day for consideration.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 121—An act to add Section 866 to the Fish and Game Code, relating to commercial fishing in portions of Fish and Game District 12.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

In line 3 of the title of the printed bill, after "12", insert ", declaring the urgency of this act, to take effect immediately".

Amendment No. 2

On page 1 of said bill, after line 16, insert

"SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into effect immediately. The following is a statement of the facts constituting such necessity:

Under present law commercial fishing for salmon and shad is permitted in portions of Carquinez Strait and Suisun Bay but these waters have become so crowded with vessels moored there by agencies of the United States that it is impossible to use nets successfully. The opening of adjacent waters to commercial fishing as provided in this act will relieve the distress of the commercial fishermen involved and make available for consumption a valuable food product of which the people would otherwise be deprived. In order that the benefits of this act can be made available during the current fishing season it is necessary that this act take immediate effect."

Amendment No. 3

On page 1, line 12, of the printed bill, after "lying", insert "within District 12 and".

Amendments read and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 120—An act to amend Sections 21290, 21291, 21295, and 21298 of the Government Code, and to add Section 21297 thereto, relating to retirement allowances payable by the State Employees' Retirement System in cases of retirement for disability, and declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 123—An act to repeal Section 14 of an act entitled "An act to provide a unified program of construction, improvement, and equipment for State agencies, creating a State Public Works Board, and making an appropriation to carry out the provisions of this act," relating to public works.

Bill read second time, ordered engrossed, and to third reading.

MOTION TO CONSIDER COMMITTEE REPORT

Senator Slater moved that the report from the Committee on Education be considered at this time for the purpose of adopting committee amendments to Assembly Concurrent Resolution No. 3.

Motion carried.

REPORTS OF STANDING COMMITTEES

Committee on Education

SENATE CHAMBER, SACRAMENTO, February 15, 1946

MR. PRESIDENT: Your Committee on Education, to which was referred:

Assembly Concurrent Resolution No. 3

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

Committee membership 9; committee vote: Ayes 6; absent 3.

SLATER, Chairman

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Concurrent Resolution No. 3—Relative to creating a Joint Committee on Preschool and Primary Training of Children.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 2, line 13, of the printed measure, strike out "three", and insert "five".

Amendment No. 2

On page 2 strike out line 47, down to and including page 3, line 6, and insert "The committee is hereby authorized to advise and consult with experts having technical and professional training in the fields of education, school finance and other allied subjects, as well as representative citizens interested in the field of pre-school and primary training of children."

Amendment No. 3

On page 3, line 7, of the printed measure, strike out "twenty thousand dollars ($20,000)", and insert "twenty-five thousand dollars ($25,000)".

Amendments read and adopted.

Resolution ordered printed.

Motion to Re-refer Assembly Concurrent Resolution No. 3

Senator Slater moved that Assembly Concurrent Resolution No. 3 be re-referred to Committee on Rules.

Motion carried.

REPORTS OF STANDING COMMITTEES

Committee on Natural Resources

SENATE CHAMBER, SACRAMENTO, February 15, 1946

MR. PRESIDENT: Your Committee on Natural Resources, to which was referred:

Senate Joint Resolution No. 9

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 9; committee vote: Ayes 6; absent 3.

FLETCHER, Chairman

Above reported resolution ordered to third reading.

Committee on Rules

SENATE CHAMBER, SACRAMENTO, February 15, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 95
Senate Bill No. 122

And reports the same correctly engrossed.

SEAWELL, Chairman

APPOINTMENT OF COMMITTEE ON CONFERENCE

SENATE CHAMBER, SACRAMENTO, February 15, 1946

MR. PRESIDENT: Your Committee on Rules announces the appointment of Senators Quinn, Dilworth, and Sutton as a Senate Committee on Conference concerning Assembly Bill No. 62 to meet a like committee of the Assembly.

SENATE COMMITTEE ON RULES
SEAWELL, Chairman

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 76
Senate Bill No. 99
Senate Bill No. 64
Senate Bill No. 102
Senate Bill No. 14
Senate Bill No. 103

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

Above bills ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 85

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By C. W. QUEALE, Assistant Clerk

Above bill ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 16
Senate Joint Resolution No. 6

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

Above resolutions ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended:

Senate Bill No. 59
Senate Bill No. 97
Senate Bill No. 66

And respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

Above bills ordered to unfinished business file.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended:

Senate Joint Resolution No. 5
Senate Concurrent Resolution No. 12

And respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

Above resolutions ordered to unfinished business file.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 19
Assembly Bill No. 169
Assembly Bill No. 170

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Joint Resolution No. 22

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were read the first time:

Assembly Bill No. 19—An act to amend Section 18973 of the Government Code, relating to veterans' preference in State civil service.

Referred to Committee on Rules.

Assembly Bill No. 169—An act to add Section 14126.1 to the Education Code, relating to the placement of veterans on eligibility lists for positions in the classified service of school districts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Rules.

Assembly Bill No. 170—An act to add Sections 20602.3 and 20602.9 to the Government Code, and to repeal Sections 20602.2 and 20602.7 thereof, relating to the State Employees' Retirement System, and providing for the rights and privileges of patrol members and warden members thereof, to take effect immediately.

Referred to Committee on Rules.

Assembly Joint Resolution No. 22—Memorializing Congress to make farm machinery, implements and housing available.

Referred to Committee on Rules.

RESOLUTIONS

The following resolution was offered:

By Senator Ward:

Senate Resolution No. 34

Relative to the creation of a Senate Interim Committee on Workmen's Compensation Benefits

WHEREAS, The Legislature is authorized to consider and act upon legislation to permit payment of increased disability indemnities in workmen's compensation cases; and

WHEREAS, In order to enact adequate legislation on this subject the Legislature requires detailed information with reference thereto; now, therefore, be it

Resolved by the Senate of the State of California, as follows:

1. The Senate Interim Committee on Workmen's Compensation Benefits is hereby created and appointed and authorized and directed to ascertain, study and analyze all facts relating to disability indemnities in workmen's compensation cases, and all matters related or incidental thereto, including a comparative analysis of the workmen's compensation laws of other States, and including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Senate, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of five members of the Senate appointed by the Committee on Rules thereof. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the next regular session, with authority to file its final report not later than the fifteenth legislative day of the next regular session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a chairman and a vice chairman from its membership.

(b) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope

of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(d) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to Committee on Rules.

ADJOURNMENT

At 1.24 p.m., on motion of Senator Seawell, the President declared the Senate adjourned until 10.30 a.m., Saturday, February 16, 1946.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-SIXTH (FIRST EXTRAORDINARY) SESSION

SENATE DAILY JOURNAL

THIRTY-FIRST LEGISLATIVE DAY
FORTY-FIRST CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO
Saturday, February 16, 1946

The Senate met at 10.30 a.m.
Hon. Frederick F. Houser, President of the Senate, presiding.
Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—39.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Dr. Clarence A. Kircher.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Fletcher, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Dave De Varona of San Diego.

On request of Senator Sutton, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Elizabeth Cather of Colusa.

On request of Senators Crittenden and Jespersen, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. B. A. Etcheverry and Helen Hanson of Berkeley.

On request of Senator Seawell, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Commander Fred Green, Mr. Gregory Green of San Francisco, and Louis Brashear of Sacramento.

On request of Senator Ward, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Marguerite Hansen of San Francisco.

On request of Senator Burns, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Conway Lanford, formerly of Fresno, now assistant to Dr. Kircher of Sacramento.

On request of Senator Dorsey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Cpl. Avis L. Popplewell of Dinsmore, Sask.; L. A. W. Margaret Abbot of Creelman, Sask.; L. A. W. Rita Beckstead of Creelman, Sask.; Richard Pedicini, Coxswain, U. S. C. G., U. S. S. Tacoma, of Los Angeles; Charles Enyeart, Coxswain, U. S. C. G., U. S. S. Tacoma, of Seattle, and Tommy Hart, Gunners Mate, U. S. C. G., U. S. S. Tacoma, Denver, Colorado.

On request of Senator Biggar, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Lieutenant George Craig, U. S. N., of Oakland.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Major Otis Crawford of San Fernando.

On request of Senator Shelley, the privilege of the floor of the Senate Chamber for this day was unanimously extended to John R. Miller, Q. M. 3/c, Sub. Ad., Mare Island.

On request of Senator Rich, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Talbert E. Elliott of Yuba City.

On request of Senator Seawell, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Leola Kirby and Jeannette Barbiere of Roseville.

Chief Assistant Secretary Cleve V. Taylor at the Desk

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO 14, February 14, 1946

To the Honorable Members of the Senate,
State of California, Sacramento, California

GREETINGS: I am returning herewith, without my signature, Senate Bill No. 11, entitled: "An act to extend the effective date of an act entitled 'An act relating to the performance by the Department of Public Works of highway and other cooperative work for the Federal Government, making an appropriation for administrative expenses, declaring the urgency thereof, and providing that this act shall take effect immediately,' approved February 10, 1943, as amended."

My reason for not signing this bill is that it is identical with Assembly Bill No. 5 which is also before me for approval. The authors of both this bill and the Assembly bill have agreed that there is no purpose in approving both bills. After consulting with the authors it has been agreed that Senate Bill No. 11 should not receive my approval.

Solely for the reason that it duplicates Assembly Bill No. 5, I am vetoing Senate Bill No. 11.

Respectfully submitted.

EARL WARREN, Governor

Message read, and Senate Bill No. 11 ordered to unfinished business file.

REQUEST FOR UNANIMOUS CONSENT

Senator Breed asked for, and was granted, unanimous consent to have the following report of the Joint Special Committee on Federal Tideland Legislation, appointed to attend the hearings on Senate Joint Resolution No. 48, and House Joint Resolution No. 225 before the Committee on

Judiciary of the United States Senate in Washington, D. C., printed in the Journal.

Report Relative to the Joint Special Committee on Federal Tideland Legislation for the Purpose of Attending the Hearings on Senate Joint Resolution 48 and House Joint Resolution 225 Before the Committee on Judiciary of the United States Senate in Washington, D. C.

In response to the mandate of the California Legislature pursuant to SCR 8, your committee consisting of Senator Arthur H. Breed, Jr., Senator Jack B. Tenney, Senator James J. McBride, and Assemblyman Sam L. Collins, Assemblyman Walter J. Fourt and Assemblyman Ralph C. Dills, left Sacramento on the evening of January 29, 1946. Your committee organized and elected as chairman, Senator Arthur H. Breed, Jr.; vice chairman, Assemblyman Walter J. Fourt; and secretary, Assemblyman Ralph C. Dills.

All members of the committee while enroute to Washington familiarized themselves with the contents of the brief of the Attorney General of the State of California, filed on behalf of the State of California in the Supreme Court of the United States, the October term, in the case entitled United States of America, plaintiff, vs. State of California, defendant, and likewise familiarized themselves with the testimony taken in the Joint Hearings before the Committee on the Judiciary, House of Representatives, and a Special Subcommittee of the Senate Judiciary Committee, Seventy-ninth Congress, First Session, and all other data pertinent thereto.

Your committee arrived in Washington, D. C., on Friday morning, February 1. Thereafter your committee was divided into several groups for the purpose of interviewing numerous individuals and Members of Congress. This work continued throughout Friday and Saturday.

On Sunday the attorney members of your committee worked in the Congressional Library in research in reference to California land titles until the closing hour, 10 p.m. On Monday morning a caucus was held in the Willard Hotel of all parties interested in appearing before the Senate Judiciary Committee relative to this subject matter. Most of the States of the Union were represented by the Attorneys General, port authorities, mayors and other officials at this caucus. At this meeting a Steering Committee was selected to correlate the evidence and designate the time and type of appearance of the various parties before the Senate committee.

Following this caucus, your committee met and in conformity with the request of the caucus, your committee prepared a draft of the statement to be filed on behalf of the California Legislature with the Senate Judiciary Committee holding the hearing on the Tideland matters. This of necessity had to be correlated with other statements being prepared to be filed.

On Wednesday morning this report was approved. The California Legislative Committee signed the report and filed the same Wednesday afternoon with the Senate Judiciary Committee. An exact copy of this report is attached hereto and made the concluding part hereof.

Before the Judiciary Committee of the Senate of the United States

Statement of the Representatives of the Legislature of the State of California

The State of California has claimed and exercised ownership, dominion and jurisdiction over the lands under the ocean seaward for a distance of three miles and the lands under all tidal and navigable waters within its boundaries ever since its admittance as a State in the year, 1850. The State most forcefully now asserts these claims. This ownership has been recognized, established and respected by everybody, including the United States of America and all agencies thereof, until about 1937 when the so-called Nye Resolution was introduced in the United States Senate. The Nye Resolution and others of similar purport which were introduced in the House of Representatives were very properly defeated; however, since that occasion the Federal Government by and through its respective officers, agencies and departments has made claims to the tidal submerged lands and thereby cast a cloud upon the title of the State of California to all of the lands beneath tidal and navigable streams and to filled land.

The matter has been brought forcibly to the attention of the Legislature of the State of California by virtue of the filing of the case, *United States of America* vs. *State of California*, by United States Attorney General Tom C. Clark in the Supreme Court of the United States as an original proceeding. Likewise Mr. Harold Ickes as the Secretary of the Department of the Interior has indicated that he intends to pursue a course of conduct which will in effect assert a claim of title in and to the lands in question. The raising of these claims after nearly a century of uninterrupted peaceful possession has cast an unjustifiable and wholly unwarranted cloud upon the title of the people of the State of California, in and to the properties in question. Fortunately there is now under consideration, the matter of S.J. Resolution No. 48 which is similar in nature to H.J. Resolution No. 225 which passed the House of Representa-

tives on or about September 20, 1945 by an overwhelming majority. Such a serious threat to the sovereignty of the State of California can not go unchallenged by the Legislature of the State of California, though our rights and interest be ever so ably guarded by our Attorney General Robert W. Kenny. To the end that the views of the Legislature of the State of California might be expressed in this matter, a resolution providing for a committee of six members, three from the Senate and three from the Assembly, was adopted unanimously by the Legislature of California.

As we understand it, the purport or essence of these resolutions, S.J. No. 48 and H.J. No. 225, is that, if adopted, the United States of America would thereby release, remise and quit claim all right, title, interest, claim, or demand of the United States of America in and to all lands beneath tidewaters and all lands beneath navigable waters within the boundaries of each of the respective States, to each of such States and to the respective grantees or successors in interest thereof, and to the respective present owners of such lands of which title has been confirmed by official action of the United States of America; excepting, of course, such lands as might have been acquired by the United States of America from any State, its grantees or successors in interest, by cession, grant, quit claim or condemnation; and, of course, that the United States of America would continue with its present powers of regulation and control for the purposes of commerce, navigation and the National defense. We are of the opinion that the adoption of the resolution will permanently and satisfactorily quiet the titles of the respective States, their grantees or successors in interest in and to the tidal and submerged lands and thereby dispose of many complex and perplexing problems, all to the end that we can proceed with reconversion and new developments involving the expenditure of millions of dollars.

It is appropriate for the Congress to act upon this subject at this time. Repeatedly, legislative bodies of the respective States and the Congress have continued to function even though suits may be brought or be pending in reference to the subject matter under consideration. There surely is no rule of law or common practice or general understanding to the effect that upon the filing of an action in court the legislative processes must be stilled until the courts finally dispose of the issues involved in any such action. If this were true, any legislative body could for all practical purposes be put into a legislative "straight jacket" at the whim of any person for almost any reason. Numerous citations of authority, commencing with the Supreme Court of the United States in *United States* v. *Schooner Peggy*, 5 U. S. 103, sustain the point of view herein indicated.

The State of California and its successors and grantees have on many, many occasions granted to the Federal Government certain parcels of the tidal and submerged lands. It has been assumed by the Federal Government and all of its departments and agencies until very recently that there was absolutely no question about where the titles to these tidal and submerged lands was located, i.e., in the State of California. We have no doubt that equity and fairness would dictate that the Federal Government is now estopped to make any claim or demand upon these lands.

It is the opinion of the Legislature of the State of California that the State of California should no longer be confronted with the uncertain conditions and vexatious proceedings and statements which have come into being in recent years with reference to its tidal and submerged lands. We are confident in the belief that the adoption of these resolutions is the only means of stopping for all time the assault upon our well-established titles.

The Supreme Court of the United States of America has repeatedly held that the State of California has the title to the lands in question. We feel that it is the duty and the responsibility of Congress to once and for all quiet the titles in the States.

We feel that the legislation is needed to remove the clouds which have been cast upon the titles of the State of California, its successors and grantees.

We respectfully urge and request that the Senate Judiciary Committee take favorable action upon the resolution heretofore referred to and, further, that the United States Senate take similar action, if and when the matter is before said United States Senate for consideration.

Respectfully submitted.

ARTHUR H. BREED, JR., Chairman
JAMES J. McBRIDE
JACK B. TENNEY
SAM L. COLLINS
RALPH C. DILLS
WALTER J. FOURT

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, February 16, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 121

And reports the same correctly engrossed.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, February 16, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Joint Resolution No. 3

And reports the same correctly re-engrossed.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, February 16, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 40—An act to add Section 18 and Article 10, comprising Sections 150 to 462 to, and to amend Sections 19, 20, and 40 of, the Unemployment Insurance Act, to establish a system of unemployment compensation disability benefit payments;

Senate Bill No. 45—An act making an appropriation for the support of child care centers, and declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the sixteenth day of February, 1946, at 10.30 a.m.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, February 15, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 120
Senate Bill No. 123
Senate Joint Resolution No. 9

And reports the same correctly engrossed.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, February 15, 1946

MR. PRESIDENT: Your Committee on Rules, to which were referred:

Assembly Joint Resolution No. 22
Assembly Joint Resolution No. 16
Assembly Joint Resolution No. 17
Assembly Joint Resolution No. 25
Assembly Joint Resolution No. 18
Assembly Joint Resolution No. 23
Assembly Concurrent Resolution No. 23

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

Above reported resolutions ordered to third reading.

SENATE CHAMBER, SACRAMENTO, February 15, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Assembly Bill No. 169

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Education.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

Above reported bill re-referred to Committee on Education.

SENATE CHAMBER, SACRAMENTO, February 15, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Assembly Bill No. 155

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Business and Professions.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

Above reported bill re-referred to Committee on Business and Professions.

SENATE CHAMBER, SACRAMENTO, February 15, 1946

MR. PRESIDENT: Your Committee on Rules, to which were referred:

Assembly Bill No. 165
Assembly Bill No. 19
Assembly Bill No. 170

Has had the same under consideration, and finds that same are within the purview of the call, and directs that they be referred to the Committee on Governmental Efficiency.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

Above reported bills re-referred to Committee on Governmental Efficiency.

SENATE CHAMBER, SACRAMENTO, February 15, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Proposed Senate Bill No. 121

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Finance.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

Committee on Institutions

SENATE CHAMBER, SACRAMENTO, February 15, 1946

MR. PRESIDENT: Your Committee on Institutions, to which was referred:

Assembly Bill No. 128

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 5; absent 4.

BREED, Chairman

Above reported bill ordered to second reading.

Committee on Agriculture

SENATE CHAMBER, SACRAMENTO, February 15, 1946

MR. PRESIDENT: Your Committee on Agriculture, to which was referred:

Senate Bill No. 124

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 11; committee vote: Ayes 8; absent 3.

CRITTENDEN, Chairman

Above reported bill re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, February 15, 1946

MR. PRESIDENT: Your Committee on Agriculture, to which was referred:

Senate Bill No. 125

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 8; absent 3.

CRITTENDEN, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, February 15, 1946

MR. PRESIDENT: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 166

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 11; committee vote: Ayes 8; absent 3.

CRITTENDEN, Chairman

Above reported bill re-referred to Committee on Finance.

Committee on Revenue and Taxation

SENATE CHAMBER, SACRAMENTO, February 15, 1946

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred:

Senate Bill No. 112

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 10; committee vote: Ayes 7; absent 3.

MIXTER, Chairman

Above reported bill ordered to second reading.

Committee on Finance

SENATE CHAMBER, SACRAMENTO, February 15, 1946

MR. PRESIDENT: Your Committee on Finance, to which were referred:

Assembly Bill No. 49

Assembly Bill No. 50

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 6; absent 5.

RICH, Chairman

Above reported bills ordered to second reading.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following bill was introduced, and read the first time:

Senate Bill No. 126: By Senator Shelley—An act to amend Section 303 of the Unemployment Insurance Act to make an appropriation to carry out the provisions of Article 10 of said act, relating to unemployment compensation disability payments.

Referred to Committee on Finance.

THE FOLLOWING PROPOSED BILLS WERE READ, AND REFERRED TO COMMITTEE ON RULES

By Senator Seawell—An act making an appropriation for the Contingent Expenses of the Senate, including expenses of committees, to take effect immediately.

By Senator Crittenden—Relative to providing funds for the Joint Committee on Water Problems.

REQUEST FOR UNANIMOUS CONSENT

Senator Cunningham asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 25, at this time, for consideration.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 25

Assembly Joint Resolution No. 25—Relative to memorializing the President of the United States to appoint a westerner Secretary of the Interior.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Jespersen, Judah, Keating, Mayo, McBride, McCormack, Parkman, Rich, Salsman, Seawell, Slater, Sutton, Tenney, and Ward—31.

NOES—None.

Resolution ordered transmitted to the Assembly.

Secretary J. A. Beek at the Desk

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was introduced, and read the first time.

Senate Joint Resolution No. 11: By Senator Biggar—Relative to secret agreement entered into without knowledge and consent of the people of the United States, and memorializing Congress in regard thereto.

Request for Unanimous Consent

Senator Biggar asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 11, at this time, for consideration.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 11

Senate Joint Resolution No. 11—Relative to secret agreement entered into without knowledge and consent of the people of the United States, and memorializing Congress in regard thereto.

Motion to Re-refer Senate Joint Resolution No. 11

Senator Donnelly moved that Senate Joint Resolution No. 11 be re-referred to Committee on Rules.

Motion carried.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, February 15, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Proposed Senate Bill No. 128

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Finance.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were introduced, and read the first time:

Senate Bill No. 127: By Senator Seawell—An act making an appropriation for the contingent expenses of the Senate, including expenses of committees, to take effect immediately.

Referred to Committee on Finance.

MOTION TO READ SENATE BILLS NOS. 125 AND 112

Senator Seawell moved that Senate Bills Nos. 125, and 112 be given a second reading at this time for the purpose of being placed on third reading file for consideration.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 125—An act to amend Section 24626 of the Education Code, relating to the use of county funds for the support and maintenance of extension work in agriculture and home economics.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 112—An act to add Section 261 to the Revenue and Taxation Code, relating to the veterans' exemption and the period for which and the manner in which it may be claimed, declaring the urgency hereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 261 to", and insert "amend Section 205 of".

Amendment No. 2

In line 2 of the title of said bill, strike out "and the period for which"; and strike out lines 3 and 4 and insert a period.

Amendment No. 3

On page 1 of said bill, strike out "Section 261 is added to", and insert "Section 205 of".

Amendment No. 4

On page 1, line 2, of said bill, after "Code", strike out ", to read:", and insert "is amended to read:

205. The veterans' exemption is as specified in Section 1¼ of Article XIII of the Constitution.

The following are wars under Section 1¼ of Article XIII of the Constitution:

(a) Revolutionary War, April 19, 1775-January 14, 1784.
(b) Second war with England, June 18, 1812-February 17, 1815.
(c) Black Hawk War, April 6, 1832-August 2, 1832.
(d) War with Mexico, April 24, 1846-May 30, 1848.
(e) Civil War, April 18, 1861-August 20, 1866.
(f) War with Spain, April 21, 1898-April 11, 1899.
(g) War in Philippines, April 11, 1899-July 4, 1902.
(h) Chinese Relief Expedition, June 20, 1900-May 15, 1901.
(i) Campaign against the Rogue River, Yakima, Nez Perce, and Snake Indians in Oregon and Washington, 1855-1856.
(j) Campaign against the Indians in southern Oregon and Idaho and northern California and Nevada, 1865-1868.
(k) Campaign against the Cheyennes, Arapahoes, Kiowas, and Comanches in Kansas, Colorado, and Indian Territory, 1867-1869.
(l) Modoc War, 1872-1873.
(m) Campaign against the Apaches of Arizona, 1873.
(n) Campaign against the Kiowas, Comanches, and Cheyennes in Kansas, Colorado, Texas, Indian Territory, and New Mexico, 1874-1875.
(o) Campaign against the Northern Cheyennes and Sioux, 1876-1877.
(p) Nez Perce War, 1877.
(q) Bannock War, 1878.
(r) Campaign against the Northern Cheyennes, 1878-1879.
(s) Campaign against the Ute Indians in Colorado and Utah, September, 1879-November, 1880.
(t) Campaign against the Apache Indians in Arizona, 1885-1886.
(u) Campaign against the Sioux Indians in South Dakota, November, 1890-January, 1891.
(v) War with Germany-Austria, April 6, 1917-November 11, 1918.
(w) Campaign against the Apache Indians in Arizona, 1895-1896.
(X) World War II, December 7, 1941 to the expiration of the Selective Training and Service Act of 1940, as amended, or any extension thereof."

Amendment No. 5

On page 1 of said bill, strike out lines 3 to 24, inclusive; and on page 2, strike out lines 1 to 34, inclusive.

Amendments read and adopted.

Bill ordered printed, engrossed, and to third reading.

CONSIDERATION OF DAILY FILE

CONSIDERATION OF SPECIAL ORDER

The hour of 11 a.m. having arrived, Senate Bill No. 95 was taken up.

Senate Bill No. 95—An act to provide for a program of postwar acquisition, construction, improvement and equipment of property and facilities for the protection, propagation and preservation of fish and game, and to make an appropriation to carry out such program.

Bill read third time.

Motion to Amend

Senator Hatfield moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 10, of the printed bill, as amended, in the Senate on February 14, 1946, after "shooting", insert "and fishing".

Amendment No. 2

On page 2 of said bill, strike out lines 4 to 7, inclusive, and insert

"SEC. 2. There is hereby appropriated the sum of six million fifty thousand dollars ($6,050,000) of which three million twenty-five thousand dollars ($3,025,000) is appropriated from the State Park Fund and three million twenty-five thousand dollars ($3,025,000) is appropriated from the State Beach Fund, which".

Amendment No. 3

On page 7 of said bill, between lines 46 and 47, insert

"Public Shooting and Fishing Grounds

74. Merced County-San Luis Island and vicinity.
New public shooting and fishing grounds, including acquisition of land therefor---------- 600,000.00".

Amendment No. 4

On page 7, line 50, of said bill, strike out $5,500,000.00", and insert "$6,100,000.00".

Amendments read.

Division of Amendments

Senator Hatfield demanded a division of the amendments, and that amendment No. 3 be considered separately.

Amendment No. 3

On page 7 of said bill, between lines 46 and 47, insert

"Public Shooting and Fishing Grounds

74. Merced County—San Luis Island and vicinity. New public shooting and fishing grounds, including acquisition of land therefor-------- 600,000.00".

Amendment read and adopted.

Consideration of Amendments Nos. 1 and 4

Senator Hatfield requested that the Senate consider amendments Nos. 1 and 4.

Amendment No. 1

On page 1, line 10, of the printed bill, as amended, after "shooting", insert "and fishing".

Amendment No. 4

On page 7, line 50, of said bill, strike out "$5,500,000.00", and insert "$6,100,000.00".

Amendments read and adopted.

Consideration of Amendment No. 2

Amendment No. 2

On page 2 of said bill, strike out lines 4 to 7, inclusive, and insert

"Sec. 2. There is hereby appropriated the sum of six million fifty thousand dollars ($6,050,000) of which three million twenty five thousand dollars ($3,025,000) is appropriated from the State Park Fund and three million twenty five thousand dollars ($3,025,000) is appropriated from the State Beach Fund, which".

Amendment No. 2 Withdrawn

Senator Hatfield withdrew amendment No. 2.

Further Amendments to Senate Bill No. 95

Motion to Amend

Senators Mayo, Dillinger, and Seawell moved the adoption of the following amendments:

Amendment No. 1

On page 4, line 14, of said bill, as amended in the Senate on February 14, 1946, strike out "$800,000.00", and insert "$500,000.00".

Amendment No. 2

On page 4 of said bill, between lines 14 and 15, insert

"24a. For stream improvements and construction of check dams in lakes and streams and rearing ponds in Alpine, Amador, Calaveras, Tuolumne, Mariposa, Placer and Nevada Counties---------- $300,000.00".

Amendments read.

Motion to Re-refer Senate Bill No. 95

Senator Collier moved that Senate Bill No. 95 be re-referred to Committee on Fish and Game.

The roll was called, and the motion lost by the following vote:

AYES—Senators Breed, Carter, Collier, Cunningham, DeLap, Desmond, Deuel, Dillinger, Jespersen, Judah, Keating, McBride, Parkman, Rich, and Sutton—15.
NOES—Senators Biggar, Brown, Burns, Crittenden, Dilworth, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Hulse, Mayo, McCormack, Mixter, Powers, Quinn, Salsman, Seawell, Slater, Swing, Ward, and Weybret—22.

Further Consideration of the Amendments by Senators Mayo, Dillinger, and Seawell

The roll was called, and the amendments adopted by the following vote:

AYES—Senators Breed, Burns, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Dorsey, Fletcher, Hatfield, Hulse, Jespersen, Keating, Mayo, McCormack, Parkman, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Ward, and Weybret—28.
NOES—Senators Biggar, Carter, Dilworth, Gordon, Judah, McBride, Mixter, and Powers—8.

Further Amendments to Senate Bill No. 95

Motion to Amend

Senator Rich moved the adoption of the following amendment:

Amendment No. 1

On page 4 of the printed bill, as amended, in the Senate on February 14, 1946, strike out lines 10, 11, and 12 and insert

"23a. Two Black Bass hatcheries and rearing ponds and necessary facilities, one of which shall be located in the Sacramento Valley and one of which shall be located in the San Joaquin Valley ..... 100,000.00".

Amendment read and adopted.

Further Amendments to Senate Bill No. 95

Motion to Amend

Senator Carter moved the adoption of the following amendment:

Amendment No. 1

On page 4 of the printed bill, as amended, in the Senate on February 14, 1946, between lines 3 and 4 insert

"21a. Shasta County—Shasta Lake area
For the purpose of investigating the trapping and destruction of rough fish in Shasta Lake and the streams tributary thereto and to carry on experimental work to establish the feasibility thereof ..... $10,000.00".

Amendment read and adopted.

Further Amendments to Senate Bill No. 95

Motion to Amend

Senator Shelley moved the adoption of the following amendments:

Amendment No. 1

On page 4, line 22, of the printed bill, as amended, in Senate on February 14, 1946, insert

"25c. San Francisco County
On Lake Merced for lake improvement and the construction of a Black Bass Hatchery and rearing ponds and necessary facilities ..... $100,000.00".

Amendment No. 2

On line 24 of the printed bill, strike out "$3,137,500.00", and insert "$3,237,500.00".

Amendments read.

Request for Unanimous Consent

Senator Shelley asked for, and was granted, unanimous consent to have Amendment No. 1 considered at this time, and he be permitted to withdraw Amendment No. 2.

Consideration of Amendment No. 1

Amendment No. 1

On page 4, line 22, of the printed bill, as amended in the Senate February 14, 1946, insert

"25c. San Francisco County

On Lake Merced for lake improvement and the construction of a Black Bass Hatchery and rearing ponds and necessary facilities $100,000.00"

Amendment read and adopted.

Consideration of Amendment No. 2

Amendment No. 2

On line 24, strike out "$3,137,500.00", and insert "$3,237,500.00."

Amendment No. 2 Withdrawn

Senator Shelley withdrew Amendment No. 2.

Further Amendments to Senate Bill No. 95

Motion to Amend

Senator Breed moved the adoption of the following amendments:

Amendment No. 1

On page 4, line 22, of the printed bill, as amended in the Senate on February 14, 1946, insert

"25d. Alameda County

On Lake Temescal for lake improvement and construction of a Black Bass Hatchery and rearing ponds and necessary facilities $100,000.00".

Amendment No. 2

On line 24, strike out "$3,137,500.00", and insert "$3,337,500."

Amendments read.

Request for Unanimous Consent

Senator Breed asked for, and was granted, unanimous consent to have Amendment No. 1 considered at this time, and he be permitted to withdraw Amendment No. 2.

Consideration of Amendment No. 1

Amendment No. 1

On page 4, line 22, of the printed bill, as amended in the Senate on February 14, 1946, insert

"25d. Alameda County

On Lake Temescal for lake improvement and construction of a Black Bass Hatchery and rearing ponds and necessary facilities ---------- $100,000.00".

Amendment read and adopted.

Consideration of Amendment No. 2

Amendment No. 2

On line 24, strike out $3,137,500.00 and insert "$3,337,500."

Amendment No. 2 Withdrawn

Senator Breed withdrew Amendment No. 2.

Further Amendments to Senate Bill No. 95

Motion to Amend

Senators Slater and Biggar moved the adoption of the following amendments:

Amendment No. 1

On page 4, line 14, of the printed bill, as amended, in the Senate on February 14, 1946, strike out "$800,000.00", and insert "$300,000.00".

Amendment No. 2

On page 4 of said bill, between lines 14 and 15, insert

"24b. For stream improvements and construction of check dams in lakes and streams and rearing ponds in Sonoma, Mendocino, San Mateo, Marin and Lake Counties ---------- $200,000.00".

Amendments read and adopted.

Further Amendments to Senate Bill No. 95

Motion to Amend

Senator Powers moved the adoption of the following amendments:

Amendment No. 1

On page 4, line 14, of said bill, as amended in the Senate on February 14, 1946, strike out "$800,000.00", and insert "$140,000.00".

Amendment No. 2

On page 4 of said bill, between lines 14 and 15, insert

"24d. For stream improvements and construction of check dams in lakes and streams and rearing ponds in Modoc, Lassen and Plumas Counties ---------- $60,000.00".

Amendments read.

Previous Question

Senator Seawell moved the previous question.

Motion carried.

The question being on the adoption of the amendments by Senator Powers.

Amendments read and adopted.

Motion to Reconsider

Senator Carter moved to reconsider the vote whereby the amendments by Senators Mayo, Biggar, and Powers to Senate Bill No. 95 were adopted.

Motion to Reconsider Amendments to Senate Bill No. 95

Pursuant to his motion previously made, Senator Carter moved that the Senate, at this time, reconsider the vote whereby the amendments by Senators Mayo, Biggar, and Powers to Senate Bill No. 95 were adopted.

The roll was called, and the amendments by Senators Mayo, Biggar, and Powers to Senate Bill No. 95 refused reconsideration by the following vote:

AYES—Senators Biggar, Carter, Dilworth, Donnelly, Dorsey, Gordon, Mixter, Quinn, Salsman, Slater, and Swing—11.

NOES—Senators Breed, Brown, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Fletcher, Hatfield, Hulse, Judah, Keating, Mayo, McBride, McCormack, Parkman, Powers, Rich, Seawell, Shelley, Sutton, Tenney, Ward, and Weybret—25.

Motion to Re-refer Senate Bill No. 95

Senator Swing moved that Senate Bill No. 95 be re-referred to Committee on Fish and Game.

Motion carried.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day respectfully refused to concur in Senate amendments to:

Assembly Bill No. 66—An act to add Section 6062.5 to the Business and Professions Code, relating to bar examinations of veterans;

And appointed Messrs. McCollister, Wollenberg, and Waters as a Committee on Conference to meet a like committee from the Senate.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By HAROLD F. LEWRIGHT, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day respectfully refused to concur in Senate amendments to:

Assembly Bill No. 26—An act making an appropriation to the Division of Fish and Game, Department of Natural Resources, for construction, improvements, repairs and equipment;

And appointed Messrs. Watson, Burkhalter, and Leonard as a Committee on Conference to meet a like committee from the Senate.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By HAROLD F. LEWRIGHT, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 59—An act to amend Section 4711 of the Health and Safety Code, relating to county sanitation districts, declaring the urgency hereof, to take effect immediately.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By C. W. QUEALE, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 18

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

Above resolution ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 2
Senate Bill No. 77
Senate Bill No. 98

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

Above bills ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assemby on this day passed:

Assembly Bill No. 119

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assemby on this day adopted:

Assembly Concurrent Resolution No. 30

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assemby on this day passed:

Assembly Bill No. 137
Assembly Bill No. 172
Assembly Bill No. 163
Assembly Bill No. 124
Assembly Bill No. 160
Assembly Bill No. 156
Assembly Bill No. 168
Assembly Bill No. 154
Assembly Bill No. 149

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

Assembly Bill No. 119—An act providing for a program of school district public works, creating the State School Building Commission,

establishing the State School Building Fund, and making an appropriation to carry out the provisions of this act.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 30—Relative to the procurement and disposal of surplus agricultural machinery.

Referred to Committee on Rules.

Assembly Bill No. 137—An act to amend Sections 3 and 5 of, and to add Sections 1.5, 38, 38.1, 38.2, 38.3, 38.4, and 38.5 to, the California Food and Fiber Production Act, relating to the providing of housing facilities for agricultural labor, authorizing the granting of assistance to local agencies for the purpose of providing such housing, authorizing such local agencies to provide such housing facilities and defining their powers and duties in respect thereto, making an appropriation, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Rules.

Assembly Bill No. 172—An act to amend Sections 6 and 7 of an act entitled "An act making an appropriation for allocation to cities, counties, and cities and counties for the prevention or alleviation of unemployment through the construction of public works in which there is a State interest, and providing the procedure for making such allocations, and for assignment of such allocations," Chapter 20, Statutes of 1946, relating to the administration of said act.

Referred to Committee on Rules.

Assembly Bill No. 163—An act to add Section 1477.5 to the Labor Code, relating to the Commission of Housing, making an appropriation, declaring the urgency hereof, to take effect immediately.

Referred to Committee on Rules.

Assembly Bill No. 124—An act making an appropriation to the Division of Highways for the installation of fog lights on the Yolo Causeway between Sacramento and Davis, declaring the urgency hereof, to take effect immediately.

Referred to Committee on Rules.

Assembly Bill No. 160—An act making an appropriation for the establishing of a radio broadcasting network for educational purposes, and creating a Radio Network Board to carry out the provisions of this act.

Referred to Committee on Rules.

Assembly Bill No. 156—An act making an appropriation to carry out the State postwar building program in respect to the Veterans' Home of California.

Referred to Committee on Rules.

Assembly Bill No. 168—An act to amend Section 303 of the Unemployment Insurance Act to make an appropriation to carry out the provisions of Article 10 of said act, relating to unemployment compensation disability payments.

Referred to Committee on Rules.

Assembly Bill No. 154—An act making an appropriation for support of the Division of Fish and Game, Department of Natural Resources, to take effect immediately.

Referred to Committee on Rules.

Assembly Bill No. 149—An act making an appropriation for construction, improvements, and equipment for the Training Center for Adult Blind, Department of Education, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

APPOINTMENT OF COMMITTEE ON CONFERENCE

February 16, 1946

MR. PRESIDENT: Your Committee on Rules announces the appointment of Senators Quinn, Mayo, and Hulse as a Senate Committee on Conference concerning Assembly Bill No. 26 to meet a like committee of the Assembly.

SENATE COMMITTEE ON RULES
SEAWELL, Chairman

APPOINTMENT OF COMMITTEE ON CONFERENCE

February 16, 1946

MR. PRESIDENT: Your Committee on Rules announces the appointment of Senators Tenney, McBride, and Quinn as a Senate Committee on Conference concerning Assembly Bill No. 66 to meet a like committee of the Assembly.

SENATE COMMITTEE ON RULES
SEAWELL, Chairman

RESOLUTIONS

The following resolution was offered:

By Senators Quinn, Dilworth, DeLap, Biggar, and Mixter:

Senate Resolution No. 35

Relative to augmenting the funds of the Senate Interim Committee on Veterans Affairs

Resolved by the Senate of the State of California, That in addition to any money heretofore made available, the sum of five thousand dollars ($5,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the Senate Interim Committee on Veterans Affairs (created by Senate Resolution No. 150, Fifty-sixth Regular Session, adopted June 16, 1945) and its members and for any charges, expenses, or claims it may incur under said resolution, to be paid from the Contingent Fund of the Senate and disbursed after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, referred to Committee on Rules.

RECESS

At 1.30 p.m., on motion of Senator Seawell, the Senate recessed until 3 p.m.

REASSEMBLED

At 3 p.m., the Senate reconvened.

Hon. Frederick F. Houser, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

Call of the Senate

Senator Collier moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called.

The Secretary announced the absentees.

Time, 3.02 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE SENATE

REPORTS OF STANDING COMMITTEES

Committee on Education

SENATE CHAMBER, SACRAMENTO, February 16, 1946

MR. PRESIDENT: Your Committee on Education, to which was referred:

Assembly Bill No. 169

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 9.

SLATER, Chairman

Above reported bill ordered to second reading.

Committee on Finance

SENATE CHAMBER, SACRAMENTO, February 16, 1946

MR. PRESIDENT: Your Committee on Finance, to which were referred:

Senate Bill No. 124
Senate Bill No. 126
Senate Bill No. 127

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 6; absent 5.

RICH, Chairman

Above reported bills ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 142—An act to amend Section 19397 to the Government Code, relating to veterans in State civil service.

Bill read second time, and ordered to third reading.

RESOLUTIONS

The following resolution was offered:

By Senator Hatfield:

Senate Resolution No. 36

Relative to the birth of Richard Gregg Donegan

WHEREAS, On February 14, 1946, Richard Gregg Donegan entered this world at a weight of 9 pounds and 1 ounce, the son of Mrs. Leila Florence Donegan (daughter of Senator Jack B. Tenney) and Richard Donegan, recently Captain, Air Corps, U. S. Marines; now, therefore, be it

Resolved by the Senate of the State of California, That Richard Gregg Donegan is hereby welcomed to the State of California with the best wishes of the Senate for a long and happy career, and his mother, father, and particularly his grandfather are hereby congratulated upon the arrival of Richard Gregg Donegan; and be it further

Resolved, That copies of this resolution shall be transmitted to Mr. and Mrs. Richard Donegan, to be presented on some future Valentine's Day to Richard Gregg Donegan in order that he may know of the interest of the Senate of the State of California in his birth.

Resolution read, and adopted.

Chief Assistant Secretary Cleve V. Taylor at the Desk

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH

At 3.10 p.m., on motion of Senator Crittenden, further proceedings under the call of the Senate were dispensed with.

CONSIDERATION OF DAILY FILE (RESUMED)

CONSIDERATION OF ASSEMBLY AMENDMENTS

Senate Bill No. 3—An act to provide for the acquisition, establishment, and operation of additional temporary hospital facilities for mental patients in State institutions, making an appropriation therefor, and declaring the urgency of the act, to take effect immediately.

The question being: Shall the Senate concur in the following Assembly amendment to Senate Bill No. 3?

Amendment No. 1

On page 1, lines 15, 16, 17 and 18, of the printed bill, as amended in the Senate on January 30, 1946, strike out "Consideration shall first be given to the acquisition of the DeWitt General Hospital in Placer County and the Hammond General Hospital near Modesto, declared by the Federal Government to be surplus property."

The roll was called, and the Senate concurred in Assembly amendment to Senate Bill No. 3 by the following vote:

AYES—Senators Biggar, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Mayo, McBride, Mixter, Parkman, Powers, Quinn, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, and Weybret—33.

NOES—None.

Above bill ordered enrolled.

Consideration of Assembly Amendments

Senate Bill No. 42—An act to repeal Division 1 and Sections 691, 692, 693, 696, 697, 992, 992.3, 992.4, 1015, 1016, 1017, 1020, 1021, 1028, 1029, 1086, and 1087 of, to add Division 1 to, and to amend Section 1084 of, the Military and Veterans Code, to amend Section 18620 of, and to add Section 18629 to, the Business and Professions Code, providing for the reorganization of the State agencies concerned with veterans and veterans affairs and for matters incidental thereto, including the establishment of a Department of Veterans Affairs, California Veterans Board, and Director of Veterans Affairs and prescribing the powers, duties, purposes, and functions of each, abolishing the Department of Military and Veterans Affairs, creating the Office of The Adjutant General and placing The Adjutant General therein, incorporating the Division of Athletics within the Department of Professional and Vocational Standards, and providing for the transfer of funds, personnel, property and records.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Bill No. 42?

Amendment No. 1

In line 14 of the title of the printed bill, as amended, strike out the second "placing", and insert "incorporating".

Amendment No. 2

In line 15 of the title of said bill, strike out "in", and insert "within".

Amendment No. 3

On page 2 of said bill, between lines 2 and 3, insert

"52. The Adjutant General succeeds to and is vested with the duties, powers, purposes, responsibilities and jurisdiction of the Division of Military Affairs and of the officers and employees of said division."

Amendment No. 4

On page 2 of said bill, strike out lines 39 and 40, and insert

"70. The Department of Veterans Affairs succeeds to and is vested with the duties, powers, purposes, responsibilities and jurisdiction of the Department of Military and Veterans' Affairs, the Division of Veterans' ".

Amendment No. 5

On page 2 of said bill, strike out lines 45 to 52, inclusive; and on page 3, strike out lines 1 to 23, inclusive, and insert "California and of the officers and employees of said department, divisions, boards, and commission, except that the Director of Veterans Affairs, in lieu of the Director of Military and Veterans' Affairs, is a member of the Governor's Council and, in lieu of the Chairman of the Veterans' Welfare Board, is a member of each and every Veterans' Finance Committee of which the chairman until now has been a member."

Amendment No. 6

On page 3, line 24, of said bill, strike out "73", and insert "71".

Amendment No. 7

On page 3, line 26, of said bill, after "appoint" insert "and fix the salary of".

Amendment No. 8

On page 3 of said bill, strike out lines 31 to 45, inclusive, and insert

"72. The California Veterans Board may adopt such rules and regulations as are necessary to govern the activities of the department and to carry out the provisions of Division 4 and of Chapters 1 and 2 of Division 5 of this code and shall determine general policies for the guidance of the administration of the activities of the department."

Amendment No. 9

On page 3, line 46, of said bill, strike out "76", and insert "73".

Amendment No. 10

On page 4 of said bill, strike out lines 7 and 8, and insert "or sessions, and for purposes of such reimbursement shall be deemed to be nonsalaried commission members."

Amendment No. 11

On page 4, line 9, of said bill, strike out "77" and insert "74".

Amendment No. 12

On page 4, line 12, of said bill, strike out "78", and insert "75".

Amendment No. 13

On page 4, line 14, of said bill, strike out "79", and insert "76".

Amendment No. 14

On page 4, line 16, of said bill, strike out "80", and insert "77".

Amendment No. 15

On page 4 of said bill, strike out lines 19 to 22, inclusive, and insert

"78. The Director of Veterans Affairs is head of the department and, as head of the department, shall perform all duties, exercise all powers and jurisdiction, assume and discharge all responsibilities and carry out and effect all purposes now or hereafter vested by law in the department, except such duties, powers, jurisdiction, responsibilities and purposes as are specifically vested in the California Veterans Board by the provisions of this chapter."

Amendment No. 16

On page 4, line 23, of said bill, strike out "82", and insert "79".

Amendment No. 17

On page 4, line 24, of said bill, after "appointed", insert "and his salary shall be fixed".

Amendment No. 18

On page 4, line 26, of said bill, strike out "83", and insert "80".

Amendment No. 19

On page 4, line 28, of said bill, after "as", insert "expressly".

Amendment No. 20

On page 4, line 30, of said bill, strike out "civil service".

Amendment No. 21

On page 4 of said bill, strike out lines 24 to 28, inclusive.

Amendment No. 22

On page 4, line 29, of said bill, strike out "87", and insert "81".

Amendment No. 23

On page 4, line 41, of said bill, strike out "Loans", and insert "Purchases".

Amendment No. 24

On page 4, line 42, of said bill, strike out "Loans", and insert "Purchases".

Amendment No. 25

On page 4, line 47, of said bill, strike out "Administrative Division", and insert "Division of Veterans Homes".

Amendment No. 26

On page 4, line 48, of said bill, strike out "Administration", and insert "of Veterans Homes".

Amendment No. 27

On page 4, line 49, of said bill, strike out "86", and insert "82".

Amendment No. 28

On page 5, line 1, of said bill, strike out "made available by law", and insert "available".

Amendment No. 29

On page 5 of said bill, strike out lines 3 and 4.

Amendment No. 30

On page 5, line 5, of said bill, strike out "88", and insert "83".

Amendment No. 31

On page 5, line 11, of said bill, strike out "article", and insert "chapter".

Amendment No. 32

On page 5, lines 12 and 14, of said bill, strike out "for the purpose of the department"

Amendment No. 33

On page 5, line 18, of said bill, strike out "89", and insert "84".

Amendment No. 34

On page 5, lines 24 and 25, of said bill, strike out "California Veterans Board", and insert "Department of Veterans Affairs".

Amendment No. 35

On page 5, lines 29 and 30, of said bill, strike out "a Division of Athletics. The division is administered by".

Amendment No. 36

On page 5 of said bill, between lines 31 and 32, insert

"The State Athletic Commission succeeds to and is vested with the duties, powers, purposes, responsibilities and jurisdiction of the Division of Athletics and of the officers and employees of said division."

Amendment No. 37

On page 5 of said bill, strike out lines 34 to 41, inclusive, and insert

"18529. The commission is subject to all of the provisions of Division 1 of this code and for the purposes of that division shall be deemed to be a board."

Amendment No. 38

On page 5, lines 42 and 43, of said bill, strike out "California Veterans Board", and insert "Department of Veterans Affairs".

Amendment No. 39

On page 5, line 47, of said bill, after "except", insert "of the Division of Athletics and".

Amendment No. 40

On page 5, line 48, of said bill, strike out "Division of Athletics", and insert "State Athletic Commission".

Amendment No. 41

On page 5, line 49, of said bill, after "personal", insert ", and shall be entitled to all of the records, books, papers, equipment, and other property, both real and personal, of the Division of Athletics".

Amendment No. 42

On page 6 of said bill, strike out lines 4 to 15, inclusive, and insert

"SEC. 7. All money available, including money which becomes available after the effective date of this act, for expenditure by any department, division, board, commission, or officer or employee thereof, to be used in the administration of any function, the exercise of any right, or performance of any duty which function, right or duty is transferred by this act, shall be available for expenditure by the department, commission, or officer which is to administer the function, exercise the right, or perform the duty."

Amendment No. 43

On page 6, line 19, of said bill, strike out "California Veterans Board", and insert "Department of Veterans Affairs".

Amendment No. 44

On page 6, line 21, of said bill, strike out "board", and insert "department".

Amendment No. 45

On page 6 of said bill, strike out lines 27 and 28.

Amendment No. 46

On page 1, line 11, of the printed bill, as amended in the Assembly on January 31, 1946, after the period, insert "Office of".

Amendment No. 47

On page 4, line 44, of said bill, after the period, insert "The premiums upon such bond shall be paid by the State out of moneys available for the use of the department."

Amendment No. 48

On page 6, line 23, of said bill, after "board", insert ", except that for the purposes of Section 102 the commission shall not be deemed to be a board created by an initiative act".

Amendment No. 49

On page 2, line 42, of the printed bill, as amended in the Assembly on February 5, 1946, after "board", insert "shall receive for each day's attendance at each meeting of the board a per diem of twenty dollars ($20) and shall also receive the same per diem for each day spent under the direction of the board in the performance of its official duties. In addition, each member".

Amendment No. 50

On page 3 of said bill, strike out lines 27 and 28, and insert "mine the policies for the department."

Amendment No. 51

On page 4, line 5, of said bill, after "department", insert "and subject to the direction of the board".

Amendment No. 52

On page 4, line 31, of said bill, after "by", insert "The Commandant, Veterans' Home of California, who shall also be known as".

Amendment No. 53

On page 6, line 5, of said bill, after the period, insert "In pursuance hereof the person holding the position of Secretary to the Veterans' Welfare Board on the day prior to the effective date of this act is hereby transferred to the Department of Veterans Affairs on the effective date of this act as the Secretary to the California Veterans Board and his status, position, and rights shall not be affected by such transfer and shall continue to be retained by him pursuant to the State Civil Service Act."

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 42 by the following vote:

AYES—Senators Biggar, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Mayo, McBride, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—36.

NOES—None.

Above bill ordered enrolled.

Consideration of Assembly Amendments

Senate Bill No. 59—An act to add Section 10182 to the Education Code, relating to the instruction by correspondence of veterans enrolled in schools, or classes of school districts.

Amendment No. 21

On page 4 of said bill, strike out lines 33 to 38, inclusive.

Amendment No. 22

On page 4, line 39, of said bill, strike out "85", and insert "81".

Amendment No. 23

On page 4, line 41, of said bill, strike out "Loans", and insert "Purchases".

Amendment No. 24

On page 4, line 42, of said bill, strike out "Loans", and insert "Purchases".

Amendment No. 25

On page 4, line 47, of said bill, strike out "Administrative Division", and insert "Division of Veterans Homes".

Amendment No. 26

On page 4, line 48, of said bill, strike out "Administration", and insert "of Veterans Homes".

Amendment No. 27

On page 4, line 49, of said bill, strike out "86", and insert "82".

Amendment No. 28

On page 5, line 1, of said bill, strike out "made available by law", and insert "available".

Amendment No. 29

On page 5 of said bill, strike out lines 3 and 4.

Amendment No. 30

On page 5, line 5, of said bill, strike out "88", and insert "83".

Amendment No. 31

On page 5, line 11, of said bill, strike out "article", and insert "chapter".

Amendment No. 32

On page 5, lines 12 and 14, of said bill, strike out "for the purpose of the department".

Amendment No. 33

On page 5, line 18, of said bill, strike out "89", and insert "84".

Amendment No. 34

On page 5, lines 24 and 25, of said bill, strike out "California Veterans Board", and insert "Department of Veterans Affairs".

Amendment No. 35

On page 5, lines 29 and 30, of said bill, strike out "a Division of Athletics. The division is administered by".

Amendment No. 36

On page 5 of said bill, between lines 31 and 32, insert

"The State Athletic Commission succeeds to and is vested with the duties, powers, purposes, responsibilities and jurisdiction of the Division of Athletics and of the officers and employees of said division."

Amendment No. 37

On page 5 of said bill, strike out lines 34 to 41, inclusive, and insert

"18629. The commission is subject to all of the provisions of Division 1 of this code and for the purposes of that division shall be deemed to be a board."

Amendment No. 38

On page 5, lines 42 and 43, of said bill, strike out "California Veterans Board", and insert "Department of Veterans Affairs".

Amendment No. 39

On page 5, line 47, of said bill, after "except", insert "of the Division of Athletics and".

Amendment No. 40

On page 5, line 48, of said bill, strike out "Division of Athletics", and insert "State Athletic Commission".

Amendment No. 41

On page 5, line 49, of said bill, after "personal", insert ", and shall be entitled to all of the records, books, papers, equipment, and other property, both real and personal, of the Division of Athletics".

Amendment No. 42

On page 6 of said bill, strike out lines 4 to 15, inclusive, and insert

"SEC. 7. All money available, including money which becomes available after the effective date of this act, for expenditure by any department, division, board, commission, or officer or employee thereof, to be used in the administration of any function, the exercise of any right, or performance of any duty which function, right or duty is transferred by this act, shall be available for expenditure by the department, commission, or officer which is to administer the function, exercise the right, or perform the duty."

Amendment No. 43

On page 6, line 19, of said bill, strike out "California Veterans Board", and insert "Department of Veterans Affairs".

Amendment No. 44

On page 6, line 21, of said bill, strike out "board", and insert "department".

Amendment No. 45

On page 6 of said bill, strike out lines 27 and 28.

Amendment No. 46

On page 1, line 11, of the printed bill, as amended in the Assembly on January 31, 1946, after the period, insert "Office of".

Amendment No. 47

On page 4, line 44, of said bill, after the period, insert "The premiums upon such bond shall be paid by the State out of moneys available for the use of the department."

Amendment No. 48

On page 6, line 23, of said bill, after "board", insert ", except that for the purposes of Section 102 the commission shall not be deemed to be a board created by an initiative act".

Amendment No. 49

On page 2, line 42, of the printed bill, as amended in the Assembly on February 5, 1946, after "board", insert "shall receive for each day's attendance at each meeting of the board a per diem of twenty dollars ($20) and shall also receive the same per diem for each day spent under the direction of the board in the performance of its official duties. In addition, each member".

Amendment No. 50

On page 3 of said bill, strike out lines 27 and 28, and insert "mine the policies for the department."

Amendment No. 51

On page 4, line 5, of said bill, after "department", insert "and subject to the direction of the board".

Amendment No. 52

On page 4, line 31, of said bill, after "by", insert "The Commandant, Veterans' Home of California, who shall also be known as".

Amendment No. 53

On page 6, line 5, of said bill, after the period, insert "In pursuance hereof the person holding the position of Secretary to the Veterans' Welfare Board on the day prior to the effective date of this act is hereby transferred to the Department of Veterans Affairs on the effective date of this act as the Secretary to the California Veterans Board and his status, position, and rights shall not be affected by such transfer and shall continue to be retained by him pursuant to the State Civil Service Act."

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 42 by the following vote:

AYES—Senators Biggar, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Mayo, McBride, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—36.

NOES—None.

Above bill ordered enrolled.

Consideration of Assembly Amendments

Senate Bill No. 59—An act to add Section 10182 to the Education Code, relating to the instruction by correspondence of veterans enrolled in schools, or classes of school districts.

The question being: Shall the Senate concur in the following Assembly amendment to Senate Bill No. 59?

Amendment No. 1

On page 1, line 14, of the printed bill, after "schools", insert a comma.

The roll was called, and the Senate concurred in Assembly amendment to Senate Bill No. 59 by the following vote:

AYES—Senators Biggar, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Mayo, McBride, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—36.

NOES—None.

Above bill ordered enrolled.

Consideration of Assembly Amendments

Senate Bill No. 97—An act to amend Sections 2941 and 2957 of, and to add Section 2941.5 to, the Civil Code, relating to mortgages, to take effect immediately.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Bill No. 97?

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "Sections 2941.5, and 2972.5", and insert "Section 2941.5".

Amendment No. 2

On page 3 of said bill, strike out lines 43 to 49, inclusive; and in line 50 strike out "SEC. 5", and insert

"SEC. 4".

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 97 by the following vote:

AYES—Senators Biggar, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Mayo, McBride, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Tenney, Ward, and Weybret—35.

NOES—None.

Above bill ordered enrolled.

Consideration of Assembly Amendments

Senate Bill No. 66—An act to add Section 395.1 to the Military and Veterans Code and to repeal an act entitled "An act relating to public officers, deputies, assistants, and employees, and their return to public service," approved May 31, 1943, relating to the rights of veterans to return to public office or employment upon release from the armed services of the United States, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Bill No. 66?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on January 29, 1946, after "act", insert "to add Section 395.1 to the Military and Veterans Code and to repeal an act entitled "An act relating to public officers, deputies, assistants, and employees, and their return to public service," approved May 31, 1943,".

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 395.1 is hereby added to the Military and Veterans Code to read:

395.1. (a) Notwithstanding any other provision of law to".

Amendment No. 3

On page 1, line 16, of said bill, after the period, insert "He shall also have a right to return to and reenter upon the office or position during terminal leave from the armed forces and prior to discharge or release therefrom."

Amendment No. 4

On page 1, line 17, of said bill, strike out "Sec. 2", and insert "(b)".

Amendment No. 5

On page 1, line 21, of said bill, strike out the period, and insert a semicolon and "provided, however, such officer or employee shall not be entitled to sick leave, vacation or salary for the period during which he was on leave from such Governmental service and in the service of the armed forces of the United States."

Amendment No. 6

On page 2 of said bill, strike out lines 1 and 2, and insert
"(c) Any officer or employee other than a probationer who is restored to his office or employment pursuant".

Amendment No. 7

On page 2, line 14, of said bill, strike out "Sec. 4", and insert
"SEC. 2."

Amendment No. 8

On page 2 of said bill, after line 29, insert
"SEC. 3. The act cited in the title hereof is hereby repealed."

Amendment No. 9

On page 2 of the printed bill, as amended in the Assembly on February 12, 1946, strike out lines 30 to 33, inclusive, and insert "States."

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 66 by the following vote:

AYES—Senators Biggar, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Mayo, McBride, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Slater, Sutton, Swing, Tenney, Ward, and Weybret—35.
NOES—None.

Above bill ordered enrolled.

Consideration of Assembly Amendments

Senate Joint Resolution No. 5—Relative to memorializing the Secretary of Labor, the National Labor Relations Board, and the United States Conciliation Service, relative to the settlement of a jurisdictional labor dispute between the CIO Food, Tobacco, Agricultural, and Allied Workers' Union of America, and the American Federation of Labor Cannery Workers' Union, affiliated with the International Teamsters' Union.

The question being: Shall the Senate concur in the following Assembly Amendments to Senate Joint Resolution No. 5?

Amendment No. 1

On page 2, line 4, of the printed measure, strike out "Congress of the United States", and insert "the Secretary of Labor".

Amendment No. 2

In line 2 of the title, of the printed measure, strike out "Congress of the United States", and insert "the Secretary of Labor".

The roll was called, and the Senate concurred in Assembly amendments to Senate Joint Resolution No. 5 by the following vote:

AYES—Senators Biggar, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Mayo, McBride, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Slater, Sutton, Swing, Tenney, Ward, and Weybret—35.
NOES—None.

Above bill ordered enrolled.

Consideration of Assembly Amendments

Senate Concurrent Resolution No. 12—Relative to requesting The Regents of the University of California and the State Board of Education to study the need for expansion of higher education facilities at Sacramento Junior College, and to report thereon to the Legislature.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Concurrent Resolution No. 12?

Amendment No. 1

On page 1 of the printed measure, between lines 12 and 13, insert

"WHEREAS, The Sacramento Junior College is presently affording to its students courses in vocational training, which permit students to acquire practical knowledge in various subjects and prepare them to enter these vocations upon graduation from Sacramento Junior College; and".

Amendment No. 2

On page 1, line 13, of said measure, strike out "It is the belief of the Legislature that", and insert "Because of".

Amendment No. 3

On page 1, line 14, of said measure, strike out "is", and insert ", the people of said area may be".

Amendment No. 4

On page 2, line 1, of said measure, strike out "the sole", and insert "a".

Amendment No. 5

On page 2 of said measure, between lines 5 and 6, insert

"*Resolved*, That such study include the vocational courses now available to students in Sacramento Junior College with a view toward their expansion and the inclusion of such courses in the expansion of the educational facilities of Sacramento Junior College; and be it further".

Amendment No. 6

On page 1, line 1, of the printed measure, as amended in the Assembly on February 14, 1946, strike out "the only public", and insert "an".

Amendment No. 7

On page 1, line 2, of said measure, strike out "immediately".

Amendment No. 8

On page 1, lines 3 and 4, of said measure, strike out "and who are residents of Sacramento and", and insert "in the".

Amendment No. 9

On page 1, line 13, of said measure, strike out "That", and insert "The".

Amendment No. 10

On page 1, line 20, of said measure, strike out the comma, and insert "another".

Amendment No. 11

On page 1, line 21, of said measure, strike out "facilities", and insert "facility".

The roll was called, and the Senate concurred in Assembly amendments to Senate Concurrent Resolution No. 12 by the following vote:

AYES—Senators Biggar, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Mayo, McBride, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret —36.

NOES—None.

Above bill ordered enrolled.

THIRD READING OF SENATE BILLS

Senate Joint Resolution No. 3—Relative to proposed reparations to American residents of the Philippines detained during the war in Japanese Prison Camps, and memorializing Congress in regard thereto.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Gordon, Hatfield, Jespersen, Judah, Keating, Mayo, McBride, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—35.
NOES—None.

Resolution ordered transmitted to the Assembly.

Senate Joint Resolution No. 10—Relative to the permanent establishment of Camp Beale.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Mayo, McBride, Mixter, Parkman, Powers, Quinn, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—34.
NOES—None.

Resolution ordered transmitted to the Assembly.

Senate Bill No. 122—An act to amend Section 9102 of the Government Code, relating to the salaries of employees in the legislative offices, declaring the urgency hereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Biggar, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Gordon, Hatfield, Jespersen, Judah, Keating, Mayo, McBride, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—34.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Dorsey, Gordon, Hatfield, Jespersen, Judah, Keating, Mayo, McBride, Mixter, Parkman, Powers, Quinn, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—33.
NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 121—An act to add Section 866 to the Fish and Game Code, relating to commercial fishing in portions of Fish and Game District 12, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dorsey, Hulse, Jespersen, Judah, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Rich, Salsman, Seawell, Shelley, Sutton, Tenney, Ward, and Weybret—27.
NOES—Senators Dillinger, Dilworth, Donnelly, Hatfield, Keating, Quinn, Slater, and Swing—8.

The roll was called.

Call of the Senate

Pending the announcement of the vote, Senator DeLap moved a call of the Senate.

Motion carried. Time, 4.27 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE SENATE
CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 120—An act to amend Sections 21290, 21291, 21295, and 21298 of the Government Code, and to add Section 21297 thereto, relating to retirement allowances payable by the State Employees' Retirement System in cases of retirement for disability, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Biggar, Burns, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Hatfield, Hulse, Jespersen, Judah, Keating, Mayo, McBride, Mixter, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—31.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Hatfield, Hulse, Jespersen, Judah, Keating, Mayo, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—34.
NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 123—An act to repeal Section 14 of an act entitled "An act to provide a unified program of construction, improvement, and equipment for State agencies, creating a State Public Works Board, and making an appropriation to carry out the provisions of this act," relating to public works.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Hatfield, Hulse, Judah, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—34.
NOES—None.

Bill ordered transmitted to the Assembly.

Senate Joint Resolution No. 9—Relative to establishment of National parks.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dorsey, Hatfield, Hulse, Jespersen, Judah, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—32.
NOES—Senator Donnelly—1.

Resolution ordered transmitted to the Assembly.

Senate Bill No. 108—An act to amend Section 4460 of the Labor Code, relating to workmen's compensation.

Bill read third time.

Motion to Re-refer Senate Bill No. 108

Senator Carter moved that Senate Bill No. 108 be re-referred to Committee on Labor.

Motion carried.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, February 16, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 112

And reports the same correctly engrossed.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, February 16, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 125

And reports the same correctly engrossed.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, February 16, 1946

MR. PRESIDENT: Your Committee on Rules, to which were referred:

Assembly Bill No. 119
Assembly Bill No. 163
Assembly Bill No. 124
Assembly Bill No. 156
Assembly Bill No. 168
Assembly Bill No. 154
Assembly Bill No. 149

Has had the same under consideration, and finds that same are within the purview of the call, and directs that they be referred to the Committee on Finance.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

Above reported bills re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, February 16, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Assembly Bill No. 160

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Governmental Efficiency.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

Above reported bill re-referred to Committee on Governmental Efficiency.

SENATE CHAMBER, SACRAMENTO, February 16, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Assembly Bill No. 137

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Agriculture.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

Above reported bill re-referred to Committee on Agriculture.

SENATE CHAMBER, SACRAMENTO, February 16, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Assembly Bill No. 172

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, February 16, 1946

MR. PRESIDENT: Your Committee on Rules, to which were referred:

Senate Resolution No. 33
Assembly Concurrent Resolution No. 30

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

Above reported resolutions ordered to third reading.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

SENATE CHAMBER, SACRAMENTO, February 16, 1946

MR. PRESIDENT: The Committee on Conference concerning:

Assembly Bill No. 66—An act to add Section 6060.5 to the Business and Professions Code, relating to bar examinations of veterans;

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following: That the amendments of the Senate be concurred in and that the bill, as amended, on February 14, 1946, be further amended as follows:

Amendment No. 1

On page 1, line 10, of the printed bill, as amended, after "States", insert "before taking an examination for admission to the bar,".

Amendment No. 2

On page 1, line 13, of said bill, strike out "one year", and insert "two years".

QUINN
Senate Committee on Conference

McCOLLISTER
WOLLENBERG
WATERS
Assembly Committee on Conference

Previous Question

Senator Seawell moved the previous question.

Motion carried.

The question being on the adoption of the conference report concerning Assembly Bill No. 66.

The roll was called, and the report refused adoption by the following vote:

AYES—Senators Carter, Collier, Deuel, Dilworth, Dorsey, Judah, Keating, Mayo, Powers, Quinn, Rich, Seawell, and Swing—13.

NOES—Senators Biggar, Brown, Burns, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Donnelly, Hatfield, Hulse, Jespersen, McBride, McCormack, Parkman, Salsman, Shelley, Slater, Sutton, Tenney, Ward, and Weybret—22.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Senator Seawell:

Resolved, That Senate Bills Nos. 125, 112, 124, 126, and 127 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bills be read the second and third times, considered engrossed, and placed upon their passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Hatfield, Hulse, Jespersen, Judah, Keating, Mayo, McBride, Mixter, Parkman, Powers, Quinn, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—33.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF SENATE BILL NO. 125

Senate Bill No. 125—An act to amend Section 24626 of the Education Code, relating to the use of county funds for the support and maintenance of extension work in agriculture and home economics.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Hatfield, Hulse, Jespersen, Judah, Keating, Mayo, McBride, McCormack, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—34.
NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 112—An act to amend Section 205 of the Revenue and Taxation Code, relating to the veterans' exemption.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Hatfield, Hulse, Jespersen, Judah, Keating, McBride, Parkman, Powers, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—31.
NOES—None.

Bill ordered transmitted to the Assembly.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH

At 5.20 p.m., on motion of Senator DeLap, further proceedings under the call of the Senate were dispensed with.

The names of the absentees were called, and Senate Bill No. 121 passed by the following vote:

AYES—Senators Brown, Burns, Carter, Collier, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dorsey, Hulse, Jespersen, Judah, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Seawell, Shelley, Sutton, Tenney, Ward, and Weybret—27.
NOES—Senators Biggar, Crittenden, Dilworth, Donnelly, Hatfield, Keating, Salsman, Slater, and Swing—9.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF SENATE BILLS NOS. 124, 126, AND 127

Senate Bill No. 124—An act to create an Agricultural Research Study Committee, provide for its powers and duties, and making an appropriation.

Bill read second time.

Senate Bill No. 124—An act to create an Agricultural Research Study Committee, provide for its powers and duties, and making an appropriation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Hatfield, Hulse, Judah, Keating, Mayo, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—30.
NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 126—An act to amend Section 303 of the Unemployment Insurance Act to make an appropriation to carry out the provisions of Article 10 of said act, relating to unemployment compensation disability payments.

Bill read second time.

Senate Bill No. 126—An act to amend Section 303 of the Unemployment Insurance Act to make an appropriation to carry out the provisions of Article 10 of said act, relating to unemployment compensation disability payments.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Dorsey, Hatfield, Hulse, Judah, Keating, Mayo, McBride, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—32.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 127—An act making an appropriation for the contingent expenses of the Senate, including expenses of committees, to take effect immediately.

Bill read second time.

Senate Bill No. 127—An act making an appropriation for the contingent expenses of the Senate, including expenses of committees, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Hatfield, Hulse, Jespersen, Judah, Keating, Mayo, McBride, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—35.

NOES—None.

Bill ordered transmitted to the Assembly.

RESOLUTIONS

The following resolutions were offered:

By Senator Swing:

Senate Resolution No. 37

Relative to creating a Senate Interim Committee to study certain pending measures

WHEREAS, The Proclamation convening this Extraordinary Session of the Legislature contains items relating to veterans of wars in which the United States of America has been engaged, and relating to practices of discrimination in employment and otherwise; and

WHEREAS, Bills relating to such subjects have been or may properly be referred to the Senate Committee on Governmental Efficiency for consideration and action; and

WHEREAS, The committee is advised that such subjects should receive and be given careful investigation and study, and so that all facts and data in relation thereto may be presented to and considered by the Legislature before acting on such subjects or legislation connected therewith; and

WHEREAS, There is not ample time at this Extraordinary Session for a proper and full consideration of such measures or any of them; now, therefore, be it

Resolved by the Senate of the State of California, as follows:

1. The Senate Fact-Finding Committee on Veterans and Discrimination is hereby created and authorized to make complete and full investigation of and concerning the desirability of allocating and appropriating money from the Fairs and Exposition Fund and from other moneys derived from the operation of race tracks for purposes other than those for which such money is now allocated, and investigate each and all matters relating to discriminating practices in employment as it relates to race tracks insofar as said subjects or either of them are involved in or relate to any of the measures or bills now pending before this Extraordinary Session of the Legislature. Said committee shall have full power and authority to investigate and consider all phases of such subjects, including

all and every part of the said California Horse Racing Act and the enforcement thereof by the California Horse Racing Board and the operation of racing under and pursuant to said act as it relates to discriminating practices in employment and as it relates to other subjects herein referred to.

2. The committee shall consist of five members of the Senate appointed by the Committee on Rules thereof. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the next regular session, with authority to file its final report not later than the fifteenth legislative day of the next regular session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a chairman and a vice chairman from its membership.

(b) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(c) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The Division of Audits, Department of Finance, the California Horse Racing Board and its officers and employees, and the owners and operators of the various race tracks shall cooperate with said committee and shall furnish to said committee any and all information within their possession concerning any and all of the matters herein referred to, and the said Division of Audits is hereby requested to render such service to said committee as may be necessary for said committee in order to determine proper legislation to be proposed of and concerning the matters within the scope of this said committee.

7. The sum of two thousand dollars ($2,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to Committee on Rules.

By Senators Hatfield, Hulse, and Swing:

Senate Resolution No. 38

Relative to local public works

WHEREAS, The recently enacted Construction and Employment Act appropriated $90,400,000 to be expended for public works and facilities in the several cities and counties of the State; and

WHEREAS, It was intended by that act to provide a means whereby the local agencies of the State could, with the aid of State money, bring their public works and facilities up to standard; and

WHEREAS, It has been reported that promptly after the enactment of said act certain counties and cities have diverted money theretofore devoted to expenditure for public works and facilities to other purposes; and

WHEREAS, It was not intended by said act that the State would assume all of the expense of public works and facilities within the local agencies but rather it was contemplated that the local agencies would continue to expend as much as possible from their own funds for such works and facilities, and that the expenditure of State money should be limited to providing additional funds with the overall objective of bringing the public works and facilities of such agencies up to the highest standard; now, therefore, be it

Resolved by the Senate of the State of California, That the several cities, counties, cities and counties, and other local agencies of the State for whom assistance under the construction and employment act is contemplated should be put on notice that the Legislature of the State of California does not intend that the expenditure of State money under said act shall be a substitute for the expenditure of local funds but that it is contemplated that such local agencies shall continue to make at least the same expenditures as would have been made had said act not been enacted; and be it further

Resolved, That the Secretary of the Senate is directed to transmit copies of this resolution to the governing bodies of each of such local agencies within the State.

Resolution read, and ordered placed on third reading.

WITHDRAWAL FROM COMMITTEE OF ASSEMBLY BILL NO. 19

Senator Shelley moved that Assembly Bill No. 19 be withdrawn from Committee on Governmental Efficiency for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 19—An act to amend Section 18973 of the Government Code, relating to veterans' preference in State civil service.

Bill read second time.

Motion to Amend

Senator Shelley moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on February 14, 1946, strike out "Section", and insert "Sections 18540, 18541 and".

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 18540 of the Government Code is amended to read:

18540. "Veteran" means any person who has served in the United States Army, Navy, Marine Corps, Revenue Marine Service, or as an active nurse in the service of the American Red Cross, or in the Army and Navy Nurse Corps in time of war, or in any expedition of the armed forces of the United States, or who served in one of said services during the period September 16, 1940 to December 7, 1941, and received a discharge under conditions other than dishonorable *or has been released from active duty under conditions other than dishonorable.*

SEC. 2. Section 18541 of said code is amended to read:

18541. "Disabled veteran" means any person who has served in the United States Army, Navy or Marine Corps in time of war or in any expedition of the armed forces of the United States, and received an honorable discharge or *has been released from active duty under conditions other than dishonorable or has received a* certificate of honorable active service and who was disabled as a result of such service. Proof of such disability shall be deemed conclusive if it is of record in the United States Veterans' Administration.

SEC. 3. Section 18973 of said code is".

Amendments read and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

REPORTS OF STANDING COMMITTEES

APPOINTMENT OF COMMITTEE ON CONFERENCE

February 16, 1946

MR. PRESIDENT: Your Committee on Rules announces the appointment of Senators Salsman, Dorsey, and Carter as a Second Senate Committee on Conference concerning Assembly Bill No. 66 to meet a like committee of the Assembly.

SENATE COMMITTEE ON RULES
SEAWELL, Chairman

ADJOURNMENT

At 5.45 p.m., on motion of Senator Seawell, the President declared the Senate adjourned until 11 a.m., Monday, February 18, 1946.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-SIXTH (FIRST EXTRAORDINARY) SESSION

SENATE DAILY JOURNAL

THIRTY-SECOND LEGISLATIVE DAY
FORTY-THIRD CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO
Monday, February 18, 1946

The Senate met at 11 a.m.

Hon. Jerrold L. Seawell, President pro tempore of the Senate, presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Hatfield, Hulse, Judah, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—36.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Dr. Clarence A. Kircher.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Fletcher, on motion of Senator Crittenden, due to illness.

Senator Gordon, on motion of Senator Quinn, due to death in family.

Senator Jespersen, on motion of Senator DeLap, due to illness in family.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Salsman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Robert Kirkwood of Saratoga.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Capt. Joseph Hannan of Proctor, Minn., and Capt. John Sapunot of Sacramento.

On request of Senator Seawell, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Supervisor John J. O'Grady, Chairman of Board of Supervisors, of Solano County, and George Coppock, President of the Carpenters Union, of Vallejo.

On request of Senator Mixter, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Hon. Harold C. Cloudman, former member of the Assembly, of Berkeley.

On request of Senator Gordon, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. B. Dyr, Principal, and the following eighth grade students, of the Knights Landing School: Robert Alspaigh, Joe Baker, Ruth Beckman, Daryl Campbell, Fred Cramer, Florence Corbett, Zelda Cox, Clenna Cox, Bernie Hodge, Catalina Marquez, Antonio Marquez, Cruz Hernandez, Mary Lou Cital, Loyd McGee, Jerry Pinaire, Bernadine Rader, Eugene Robinson, Roy Short, Cecil Taylor, and Jessy Trego.

On request of Senator Shelley, the privilege of the floor of the Senate Chamber for this day was unanimously extended to former Congressman Will Rogers, Jr., of Los Angeles.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. John R. Boyd of Pomona.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. William Murray, Associated Sportsmen of California, of Berkeley.

On request of Senators Shelley and Dilworth, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Lt. Col. John Raymond MacFadden, U. S. Army Air Corps, of Hermosa Beach, and Lt. Gene Culbertson, U. S. Army Air Corps, of Akron, Ohio.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, February 18, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 14—An act making an appropriation to the State Fire Marshal to carry out the provisions of Chapters 727 and 728, Statutes of 1945, to take effect immediately;

Senate Bill No. 32—An act to amend Section 2302 of the Welfare and Institutions Code, relating to the inspection services licensing agencies for the care of the aged, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately;

Senate Bill No. 33—An act to amend Section 1622 of the Welfare and Institutions Code, relating to inspection services licensing agencies for child care and home finding, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately;

Senate Bill No. 64—An act to add Section 14495.1 to the Education Code, relating to the contributions of veterans, to funds of the State Teachers Retirement System, declaring the urgency thereof, to take effect immediately;

Senate Bill No. 76—An act making an additional appropriation for legislative printing, binding, etc., to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the eighteenth day of February, 1946, at 11 a.m.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, February 18, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 85—An act to add Article 4 to Chapter 1 of Division 1 of the Education Code, relating to the empowering of the Department of Education to act in connection with the acquisition by the schools of the State of surplus property from the Federal Government and making an appropriation therefor, declaring the urgency thereof, to take effect immediately;

Senate Bill No. 92—An act making an appropriation to the Department of Education to be expended for the performance of the powers and duties of the department relating to veterans, to take effect immediately;

Senate Bill No. 94—An act to amend the title and Section 2 of, and to add Sections 1.5, 10 and 11 to, and to repeal Section 6 of, an act entitled "An act to provide for refunding or crediting to veterans of World War I certain payments and interest thereon made pursuant to contracts for the purchase of farms and homes under the Veterans Farm and Home Purchase Act and Chapter 3 of Division 4 of the Military and Veterans Code;" approved July 18, 1945, relating to refunding or crediting certain payments and interest made pursuant to contracts for the purchase of farms and homes by veterans, declaring the urgency hereof, to take effect immediately;

Senate Bill No. 99—An act amending Section 6101 of the Penal Code, relating to the acquisition of a site for the Medical Facility of the Department of Corrections;

And reports that the same have been correctly enrolled, and presented to the Governor on the eighteenth day of February, 1946, at 11 a.m.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, February 18, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Concurrent Resolution No. 16—Relative to the need for additional funds to cover cost of licensing, inspecting, regulating, and supervising public and private hospitals, requesting the Director of Finance to make money available for this purpose;

Senate Joint Resolution No. 4—Relative to Federal legislation granting terminal furloughs and leaves to enlisted personnel of the armed forces of the United States;

Senate Joint Resolution No. 6—Relative to a bill pending in the Congress providing for the relief of owners of gold mines affected by Federal regulation;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the eighteenth day of February, 1946, at 11 a.m.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, February 18, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 102—An act to provide for participation by the State of California in the celebration to be held at Monterey commemorating the raising of the American Flag by Commodore Sloat, creating a commission therefor, and making appropriation;

Senate Bill No. 103—An act to provide for participation by the State of California in a celebration to be held at Sonoma commemorating the raising of the Bear Flag of the California Republic, creating a commission therefor, and making an appropriation;

Senate Bill No. 104—An act to add Section 126 to the Government Code, relating to the acquisition of land in this State by the United States and the consent of the Legislature to such acquisition upon the conditions and subject to the reservations in this act prescribed;

Senate Bill No. 109—An act to add Section 451.5 to the Agricultural Code, relating to new milk products developed through research in the uses of milk and the products and by-products thereof, providing for effectuating and insuring such research by authorizing the production and marketing of products newly discovered or developed, declaring the urgency of this act, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the eighteenth day of February, 1946, at 11 a.m.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, February 16, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 124
Senate Bill No. 126
Senate Bill No. 127

And reports the same correctly engrossed.

SEAWELL, Chairman

RESOLUTIONS

The following resolution was offered:

By Committee on Rules:

Senate Resolution No. 39

Resolved, That the Controller be and he is hereby ordered and directed to draw his warrant on the Contingent Fund of the Senate in the sum of one thousand five hundred

dollars ($1,500) in favor of the Secretary of the Senate for postage for the Senate and the Treasurer is directed to pay the same.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Brown, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Hulse, Judah, Mayo, McBride, McCormack, Mixter, Parkman, Quinn, Salsman, Seawell, Slater, Sutton, Swing, Tenney, and Weybret—26.

NOES—None.

Chief Assistant Secretary Cleve V. Taylor at the Desk

CONSIDERATION OF DAILY FILE

UNFINISHED BUSINESS

Senate Bill No. 11—An act to extend the effective date of an act entitled "An act relating to the performance by the Department of Public Works of highway and other cooperative work for the Federal Government, making an appropriation for administrative expenses, declaring the urgency thereof, and providing that this act shall take effect immediately," approved February 10, 1943, as amended.

CONSIDERATION OF GOVERNOR'S VETO

Governor's message stating his objections read previously.

The question being: Shall Senate Bill No. 11 become a law notwithstanding the objections of the Governor?

The roll was called, and the Senate sustained the objections of the Governor by the following vote:

AYES—None.

NOES—Senators Biggar, Brown, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Hulse, Judah, Mayo, McBride, McCormack, Mixter, Parkman, Quinn, Rich, Salsman, Seawell, Slater, Sutton, Swing, Tenney, and Weybret—28.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 128—An act providing for a new women's prison, making an appropriation for the acquisition of real property for a site therefor, and authorizing the Department of Corrections to construct and equip such prison.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Institutions:

Amendment No. 1

In line 3 of the title of the printed bill as amended in the Assembly on February 1, 1946, strike out "providing for a new women's prison,".

Amendment No. 2

In line 5 of the title of said bill, strike out "therefor,"; and strike out lines 6 to 8, inclusive, and insert "for an additional correctional institution."

Amendment No. 3

On page 1, lines 5 and 6, of said bill, strike out "the construction of a new women's prison", and insert "an additional correctional institution".

Amendment No. 4

On page 2 of said bill, strike out lines 1 to 6, inclusive.

Amendments read and adopted.

Bill ordered printed, and to third reading.

Assembly Bill No. 49—An act making an appropriation to the Department of Finance for the acquisition of real property, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 50—An act making an appropriation to the California Youth Authority for the acquisition of real property, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 169—An act to add Section 14126.1 to the Education Code, relating to the placement of veterans on eligibility lists for positions in the classified service of school districts, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 172—An act to amend Sections 6 and 7 of an act entitled "An act making an appropriation for allocation to cities, counties, and cities and counties for the prevention or alleviation of unemployment through the construction of public works in which there is a State interest, and providing the procedure for making such allocations, and for assignment of such allocations," Chapter 20, Statutes of 1946, relating to the administration of said act.

Bill read second time, and ordered to third reading.

THIRD READING OF SENATE BILLS

Senate Resolution No. 33—Relative to the taking of a special census by cities.

Senate Resolution No. 33

Relative to the taking of a special census by cities

WHEREAS, The Legislature has authorized the taking of a special census by cities in order that such cities may receive gasoline and in lieu tax allocations based upon such new population figures, Chapter 581, Stats. 1943, as amended by Chapter 331, Stats. 1945, and Senate Bill No. 39, Fifty-sixth (First Extraordinary) Session; and

WHEREAS, The procedure for making application to J. C. Capt, Director of the Bureau of the Census, U. S. Department of Commerce, Washington, D. C., is substantially as follows:

Department of Commerce, Bureau of the Census, Washington

Procedure in taking a special census under Federal supervision

1. A formal request for the census, setting forth the reasons for desiring a special census, is addressed to the Director of the Census by the mayor or other responsible official of the city or other area concerned.

2. An estimate of the cost is furnished by the Census Bureau.

3. There is deposited in a local bank, subject to the order of the supervisor, an amount sufficient to cover his traveling expenses and subsistence at $6 per day for the estimated time required to take the census.

4. A regular census employee is designated as supervisor, and upon his arrival attends to the necessary arrangements, including the selection and instruction of enumerators, the appointment of such clerical assistance as may be necessary, and, usually, the printing of the schedules. The compensation of the enumerators and other assistants is to be paid by the city or town; the salary of the supervisor

is paid by the Bureau of the Census, but his railroad and pullman fares and expense allowance are to be paid by the city or town, together with the cost of printing and other incidental items.

5. The supervisor brings with him a formal agreement between the local official requesting the census and the Director of the Census, which is to be signed in duplicate, before the work of organizing the force of enumerators is undertaken.

6. The enumeration is conducted in a manner similar to that of the Federal decennial census, except that the schedule used is usually very much simpler than that used in the 1940 census.

7. A preliminary count is made by the supervisor, and the results announced locally.

8. The schedules are forwarded to the Bureau of the Census in Washington where a final count is made, and a certificate of the population is issued by the Director of the Census; and

WHEREAS, The approximate cost of taking such a census as demonstrated by more than 75 cities in 23 counties is six cents per capita; and

WHEREAS, It is the desire of the Members of the Senate that the governing body of every city be fully advised of the existing law and the amendment thereto adopted at this special session; now, therefore, be it

Resolved by the Senate of the State of California, That the Secretary of the Senate be directed to send a copy of this resolution and copies of Chapter 581, Stats. 1943, as amended by Chapter 331, Stats. 1945, and Senate Bill No. 39, Fifty-sixth (First Extraordinary) Session to the governing body of every city in the State of California.

Resolution read, and adopted.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 138—An act to add Article 7 to Chapter 12 of Division 3 of the Education Code, relating to the support of the public schools, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Judah.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Biggar, Brown, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Hulse, Judah, Mayo, McBride, McCormack, Mixter, Parkman, Quinn, Rich, Salsman, Seawell, Slater, Sutton, Swing, and Tenney—27.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Judah, Mayo, McBride, McCormack, Mixter, Parkman, Quinn, Rich, Salsman, Seawell, Slater, Sutton, Swing, and Tenney—27.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 143—An act to amend Section 44 of the County Employees Retirement Act of 1937, relating to elective officers' declarations to become members of county retirement associations, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Swing.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Judah, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Salsman, Seawell, Slater, Sutton, Swing, Tenney, and Weybret—28.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Dorsey, Judah, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Swing, Tenney, and Weybret—28.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 152—An act to add Section 7.5 to the Municipal Court Act of 1925, relating to the compensation of attaches of municipal courts in cities of the first and one-half class who return from service with the armed forces of the United States.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Hulse, Judah, Mayo, McBride, McCormack, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—31.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 78—An act authorizing any county, or city and county to expend public funds and to expend, use, or permit the use of public property or personnel to meet emergencies arising out of conditions created by the reconversion from a wartime to a peacetime economy, irrespective of budget or other limitations, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Tenney.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Collier, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Hulse, Judah, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, and Ward—30.
NOES—None.

The roll was called and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Hulse, Judah, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, and Ward—31.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 142—An act to amend Section 19397 to the Government Code, relating to veterans in State civil service.

Bill read third time, and presented by Senator Quinn.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Hulse, Judah, Mayo, McBride, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—30.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 146—An act to amend Section 4300c of the Political Code, and Section 6107 of the Government Code, relating to the recordation and issuance of certified copies of documents of discharge, service, release, and separation of veterans.

Bill read third time.

Motion to Amend

Senator Shelley moved the adoption of the following amendments:

Amendment No. 1

In the title of the printed bill, as amended in the Senate February 15, 1946, strike out "and to add Section 4131.5 to the Political Code,".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 13, inclusive.

Amendments read.

Previous Question

Senator Salsman moved the previous question.

Motion carried.

The question being on the adoption of the amendments by Senator Shelley.

Amendments refused adoption.

Further Consideration of Assembly Bill No. 146

Bill read third time, and presented by Senator Quinn.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Hatfield, Hulse, Judah, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Slater, Sutton, Swing, Ward, and Weybret—30.

NOES—Senators Shelley and Tenney—2.

Bill ordered transmitted to the Assembly.

Assembly Joint Resolution No. 23—Relative to housing for veterans.

Resolution read, and presented by Senator Tenney.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Collier, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Hatfield, Judah, Keating, McBride, McCormack, Mixter, Parkman, Powers, Rich, Salsman, Seawell, Shelley, Slater, Swing, Tenney, Ward, and Weybret—30.

NOES—None.

Resolution ordered transmitted to the Assembly.

Assembly Concurrent Resolution No. 23—Relative to commending General Douglas MacArthur.

Resolution read, and presented by Senator Tenney.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Burns, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Hatfield, Judah, McBride, McCormack, Mixter, Parkman, Powers, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—29.

NOES—None.

Resolution ordered transmitted to the Assembly.

Assembly Bill No. 144—An act to add Section 395.1 to the Military and Veterans Code and to repeal an act entitled "An act relating to public officers, deputies, assistants, and employees, and their return to

public service," approved May 31, 1943, relating to the rights of veterans to return to public office or employment upon release from the armed services of the United States, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Hatfield.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Hatfield, Judah, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—31.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Hatfield, Judah, Keating, Mixter, Parkman, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—27.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 111—An act to add Section 395.1 to the Military and Veterans Code and to repeal an act entitled "An act relating to public officers, deputies, assistants, and employees, and their return to public service," approved May 31, 1943, relating to the rights of veterans to return to public office or employment upon release from the armed services of the United States, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Hatfield.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Hatfield, Judah, Keating, Mayo, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—30.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Hatfield, Judah, Keating, Mayo, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—32.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 109—An act to amend Section 4460 of the Labor Code, relating to workmen's compensation.

Bill read third time, and presented by Senator Shelley.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Hulse, Judah, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—33.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Joint Resolution No. 22—Memorializing Congress to make farm machinery, implements and housing available.

Resolution read, and presented by Senator Salsman.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Dorsey, Hatfield, Judah, Mayo, McCormack, Mixter, Parkman, Quinn, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—29.
NOES—None.

Resolution ordered transmitted to the Assembly.

Assembly Joint Resolution No. 16—Relative to memorializing the Congress of the United States to provide for a survey of the fisheries of the Pacific Ocean.

Resolution read, and presented by Senator Shelley.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Hulse, Judah, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Tenney, Ward, and Weybret—32.
NOES—None.

Resolution ordered transmitted to the Assembly.

Assembly Joint Resolution No. 17—Relative to the development of tuna fishing in the Pacific Ocean.

Resolution read, and presented by Senator Shelley.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Collier, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Donnelly, Dorsey, Hatfield, Hulse, Judah, Keating, Mayo, McBride, McCormack, Parkman, Powers, Quinn, Rich, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—31.
NOES—None.

Resolution ordered transmitted to the Assembly.

Secretary J. A. Beek at the Desk

Assembly Joint Resolution No. 18—Relative to memorializing Congress to provide for an increase in the National minimum wage structure.

Resolution read, and presented by Senator Shelley.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Collier, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Hatfield, Judah, Keating, Mayo, McBride, McCormack, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Tenney, Ward, and Weybret—30.
NOES—None.

Resolution ordered transmitted to the Assembly.

Assembly Concurrent Resolution No. 30—Relative to the procurement and disposal of surplus agricultural machinery.

Resolution read, and presented by Senator Crittenden.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Hulse, Judah, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—34.
NOES—None.

Resolution ordered transmitted to the Assembly.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Resolution No. 38—Relative to local public works.

Resolution read.

Motion to Amend

Senator Dorsey moved the adoption of the following amendments:

Amendment No. 1

In line 5 of the printed measure, strike out "bring", and insert "contribute materially to the maintenance of maximum employment, provide employment for many returning veterans and displaced war workers and stimulate business, agricultural and industrial expansion, thereby bringing".

Amendment No. 2

In line 14 of said measure, after "bringing", insert "direct relief to persons who might otherwise be not employed, and which will also result in the construction of".

Amendments read, and adopted.

Consideration of Senate Resolution No. 38 as Amended

Senate Resolution No. 38

Relative to local public works

WHEREAS, The recently enacted Construction and Employment Act appropriated $90,400,000 to be expended for public works and facilities in the several cities and counties of the State; and

WHEREAS, It was intended by that act to provide a means whereby the local agencies of the State could, with the aid of State money, contribute materially to the maintenance of maximum employment, provide employment for many returning veterans and displaced war workers and stimulate business, agricultural and industrial expansion, thereby bringing their public works and facilities up to standard; and

WHEREAS, It has been reported that promptly after the enactment of said act certain counties and cities have diverted money theretofore devoted to expenditure for public works and facilities to other purposes; and

WHEREAS, It was not intended by said act that the State would assume all of the expense of public works and facilities within the local agencies but rather it was contemplated that the local agencies would continue to expend as much as possible from their own funds for such works and facilities, and that the expenditure of State money should be limited to providing additional funds with the overall objective of bringing direct relief to persons who might otherwise be not employed, and which will also result in the construction of the public works and facilities of such agencies up to the highest standard; now, therefore, be it

Resolved by the Senate of the State of California, That the several cities, counties, cities and counties, and other local agencies of the State for whom assistance under the construction and employment act is contemplated should be put on notice that the Legislature of the State of California does not intend that the expenditure of State money under said act shall be a substitute for the expenditure of local funds but that it is contemplated that such local agencies shall continue to make at least the same expenditures as would have been made had said act not been enacted; and be it further

Resolved, That the Secretary of the Senate is directed to transmit copies of this resolution to the governing bodies of each of such local agencies within the State.

Resolution read, as amended, and adopted.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, February 18, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Proposed Senate Concurrent Resolution No. 19

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following resolution was offered:

Senate Concurrent Resolution No. 19: By Senator Crittenden—Relative to providing funds for the Joint Committee on Water Problems.

Request for Unanimous Consent

Senator Crittenden asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 19, at this time, for consideration.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 19

Senate Concurrent Resolution No. 19—Relative to providing funds for the Joint Committee on Water Problems.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Desmond, Dilworth, Donnelly, Dorsey, Hatfield, Hulse, Judah, Keating, McBride, McCormack, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Ward, and Weybret—30.

NOES—None.

Resolution ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, February 18, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 26

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

REQUEST FOR UNANIMOUS CONSENT

Senator Salsman asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 26, at this time, for consideration of committee amendments.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 26

Assembly Concurrent Resolution No. 26—Relative to the creation of a Joint Interim Committee on Aviation.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

On page 1, lines 16 and 17, of the printed measure, as amended in Assembly February 6, 1946, strike out "the promotion and encouragement of aviation and".

Amendment No. 2

On page 1, line 20, of said measure, strike out "both".

Amendment No. 3

On page 1, lines 20 and 21, of said measure, strike out "and from the standpoint of manufacture", and insert a comma.

Amendment No. 4

On page 2, line 1, of the printed measure, strike out "five", and insert "seven".

Amendment No. 5

On page 2, line 2, of said measure, strike out "five", and insert "seven".

Amendments read and adopted.

Resolution ordered printed, and to third reading.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 160

Senator Swing moved that Assembly Bill No. 160 be withdrawn from Committee on Governmental Efficiency and referred to Committee on Finance.

Motion carried.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly appointed Messrs. Robertson, Allen, and Davis as a Second Committee on Conference concerning:

Assembly Bill No. 66—An act to add Section 6062.5 to the Business and Professions Code, relating to bar examinations of veterans.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By C. W. QUEALE, Assistant Clerk

RECESS

At 12.35 p.m., on motion of Senator Shelley, the Senate recessed to hear the remarks of former Congressman Will Rogers, Jr.

REASSEMBLED

At 12.44 p.m., the Senate reconvened.

Hon. Jerrold L. Seawell, President pro tempore of the Senate, presiding.

Secretary J. A. Beek at the desk.

RESOLUTIONS

The following resolution was offered:

By Senators Dilworth, Hatfield, Salsman, and Tenney:

Senate Resolution No. 40

Relative to commending the Honorable Frederick F. Houser, President of the Senate, for his conduct in office

WHEREAS, Lieutenant Governor Frederick F. Houser is ex officio President of the Senate of the State of California and has served in that capacity since the commencement of the Fifty-fifth Session of the Legislature on January 4, 1943; and

WHEREAS, Lieutenant Governor Houser has presided over this body through two regular and five special sessions, covering the period of the greatest emergency the civilized world has ever experienced; and

WHEREAS, Lieutenant Governor Houser throughout this trying period maintained the calmness and dignity, and performed his duties with the fairness and impartiality that evidence his sterling character and high sense of the responsibilities of his office; and

WHEREAS, Lieutenant Governor Houser has announced that he does not intend to seek reelection to the office of Lieutenant Governor; and

WHEREAS, With his retirement the Senate will be deprived of the services of a presiding officer whose wide knowledge of parliamentary law and procedure and whose character, temperament, and ability have made his career as President of this Senate such as to add greatly to the traditions of that office; now, therefore, be it

Resolved by the Senate of the State of California, That we, the members of this Senate, hereby commend Lieutenant Governor Frederick F. Houser for his conduct of

his office as President of this Senate and express our regret that he will not be with us at the convening of the 1947 Regular Session and our best wishes for the long and successful career which his outstanding abilities are bound to assure him; and be it further

Resolved, That the Secretary of the Senate is directed to transmit a suitably engrossed copy of this resolution to Lieutenant Governor and Mrs. Houser as a token of the esteem and best wishes of the members of the Senate of the State of California.

Resolution read, and adopted.

By Senator Powers, Hatfield, and Collier:

Senate Resolution No. 41

Relative to the investigation of the United States Forest Service

WHEREAS, The United States Forest Service has undertaken a general program of reducing the number of livestock on forest ranges, and has reduced permitted numbers as much as 60 per cent in some areas and has eliminated livestock from some ranges entirely; and

WHEREAS, The method used by the Forest Service in determining the extent of the cuts and effecting them are arbitrary, dictatorial, and inconsiderate of the interests of the permittees whose homes and lifetime investments are at stake; and

WHEREAS, It is vital to the stability of the livestock industry and to the food supply of the Nation that forest permittees have the right to a fair and impartial adjudication of the issues arising between them and the United States Forest Service, and that such permittees be given more security of tenure so that they may plan their livestock operations intelligently; now, therefore, be it

Resolved by the Senate of the State of California, That the Senate of the State of California hereby memorializes the Congress of the United States to make a thorough investigation of the United States Forest Service and the basis of its policies for the purpose of enacting legislation which would prevent the aforementioned evils and limit the service to the performance of administrative functions; and be it further

Resolved, That the Secretary of the Senate shall transmit copies of this resolution to the President of the United States, the Presiding Officers of each House of the Congress, and to the Senators and Representatives in the Congress from California.

Resolution read, and adopted.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 122
Senate Bill No. 127
Senate Bill No. 126

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

Above bills ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 58

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 33

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

Assembly Bill No. 58—An act to amend Sections 154 and 460 of the Unemployment Insurance Act relating to a system of unemployment

compensation disability benefit payments within the Unemployment Compensation System.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 33—Relative to investigating the operation of motor vehicles and buses.

Referred to Committee on Rules.

ADJOURNMENT

At 12.51 p.m., on motion of Senator Rich, the President declared the Senate adjourned until 10.30 a.m., Tuesday, February 19, 1946.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-SIXTH (FIRST EXTRAORDINARY) SESSION

SENATE DAILY JOURNAL

THIRTY-THIRD LEGISLATIVE DAY
FORTY-FOURTH CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO
Tuesday, February 19, 1946

The Senate met at 10.30 a.m.

Hon. Jerrold L. Seawell, President pro tempore of the Senate, presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Judah, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenny, Ward, and Weybret—37.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Dr. Clarence A. Kircher.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Fletcher, on motion of Senator Crittenden, due to illness.

Senator Jespersen, on motion of Senator DeLap, due to illness.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Brown, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. George De Lury, County Clerk of Mono County, Bridgeport.

On request of Senator Gordon, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mayor S. J. Cinnamon, and Mr. James Fisher of Napa.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Lena Everett, teacher,

and the following H9 Social Studies Class, of Stanford Junior High School of Sacramento; Mario Bianchini, Patsy Brunnell, Rose Mary Ceccarelli, William Fowcett, Virginia Foster, Mary Gutierrez, Bill Hond, Vilma Hoffman, Jim Johnson, Marvelle King, Quentin LaVine, Robert Martin, LaVern McBroom, Josephine Picchi, Jerome Posner, Shirley Scoble, June Turner, Betty Vierra, Charles Foster, Alfred Feckner, Jerry Fries, Steve Labuo, Raymond Osborne, Beverly Steele, and Fred Rickard.

On request of Senator Burns, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Thomas A. Cook of North Sacramento.

On request of Senator Dorsey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Col. C. H. Nichols, U. S. Army Reserve Corps, of Bakersfield.

On request of Senator Donnelly, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Donnelly, wife of Senator Donnelly, and their two children, Rosemary Donnelly, and Hugh P. Donnelly, Jr.

COMMUNICATIONS

The following communications were received and ordered printed in the Journal:

Senate of the State of California
Attn. J. A. Beek, Secretary

GENTLEMEN: Your kind expression of sympathy is deeply appreciated and gratefully acknowledged.

Sincerely

THE LESS GUTHRIE FAMILY

J. A. Beek, Secretary of Senate
Sacramento, California

DEAR SIR: The family of the late J. C. Garrison acknowledges with grateful appreciation your kind expression of sympathy from the Senate.

Sincerely

MRS. J. C. GARRISON

IRRIGATION DISTRICTS ASSOCIATION OF CALIFORNIA
SAN FRANCISCO, CALIFORNIA

Resolution

WHEREAS, There are now pending before the Congress various bills proposing the establishment of river basin authorities throughout the United States including authorities covering the State of California; and other legislation has been drafted proposing the establishment of Federal regional or valley authorities encompassing certain river basins of California; and

WHEREAS, Additional bills have been introduced in Congress proposing the establishment of river basin or valley authorities including two bills, S. 1716 by Senator Mitchell and H.R. 5083 by Congressman Jackson (both of Washington) to establish a Columbia Valley Authority, on which hearings are to be held before committees of the Congress of the United States; and

WHEREAS, The enactment of any proposed measure establishing a Columbia Valley Authority would establish National policies with respect to river basin development which would be urged as a precedent for the establishment of similar river basin or valley authorities in other Western States including California; and

WHEREAS, The establishment of such Federal river basin or valley authorities would be inimical to now established Federal policies and to local control of water resources; and

WHEREAS, Most of the stream basins in California are intrastate and the development, regulation and utilization of the water resources should be under local control and in accordance with State law; and

WHEREAS, Existing Federal statutes provide methods and procedures for the planning and development of the river basins of California for flood control, improvement of navigation, irrigation, domestic and industrial water supply and other purposes by Federal departments and agencies, including the Corps of Engineers of the United States War Department, the Bureau of Reclamation of the Department of the Interior and the United States Department of Agriculture, in cooperation with the State and local agencies; now, therefore, be it

Resolved by the Irrigation Districts Association of California, That the establishment of Federal regional or valley authorities to control the development, regulation and utilization of the water resources of California would be inimical to the rights and interests of the members of this Association, and that we oppose the establishment of such Federal authorities in any form on the river basins in and bordering California; and be it further

Resolved, That this association opposes enactment of the proposed bills providing for the establishment of a Columbia Valley Authority or the enactment of similar legislation on the ground that it would abandon long established National policies and would tend to establish new basic policies and principles which would be urged and utilized as a precedent for the establishment of similar Federal authorities in California; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, the Secretary of the Interior, the Secretary of War, California Senators and Representatives in Congress and the Governor and Members of the Legislature of the State of California; be it further

Resolved, That this resolution be presented to the appropriate committees of the Congress of the United States which may consider such legislation.

This is to certify that the foregoing resolution was unanimously adopted by the Executive Committee of the Irrigation Districts Association of California at a meeting held in Merced, California, on February 1, 1946, and has not been rescinded or modified in any manner.

Dated: February 11, 1946

MARGIE MORRELL
Acting Secretary

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 32

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 175

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

Assembly Bill No. 175—An act making an appropriation for the contingent expenses of the Assembly, including expenses of committees, to take effect immediately.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 32—Relative to State revenues and expenditures and the relation of each to the other.

Referred to Committee on Rules.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 119

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

Above bill ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day respectfully refused to concur in Senate amendments to:

Assembly Bill No. 146—An act to amend Section 4300c of the Political Code, and Section 6107 of the Government Code, relating to the recordation and issuance of certified copies of documents of discharge, service, release, and separation of veterans.

And appointed Messrs. McCollister, Maloney, and Boyd, as a Committee on Conference to meet a like Committee from the Senate.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended:

Senate Bill No. 41

And respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

CONSIDERATION OF DAILY FILE

UNFINISHED BUSINESS

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

SENATE CHAMBER, SACRAMENTO, February 18, 1946

MR. PRESIDENT: The Committee on Conference concerning:

Assembly Bill No. 66—An act to add Section 6060.5 to the Business and Professions Code, relating to bar examinations of veterans;

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following: That the amendments of the Senate be concurred in and that the bill, as amended on February 14, 1946, be further amended as follows:

Amendment No. 1

On line 10 of the printed bill, after the words "United States", insert "before taking an examination for admission to the Bar".

Amendment No. 2

On line 13 of the printed bill, strike out "one year", and insert "two years".

CARTER	ROBERTSON
DORSEY	ALLEN
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Crittenden, Cunningham, Deuel, Dilworth, Donnelly, Dorsey, Gordon, Hulse, Judah, Keating, Mayo, McBride, Mixter, Parkman, Quinn, Rich, Salsman, Seawell, Slater, Sutton, Swing, Tenney, and Ward—27.

NOES—Senators DeLap and Hatfield—2.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

SENATE CHAMBER, SACRAMENTO, February 18, 1946

MR. PRESIDENT: The Committee on Conference concerning:

Assembly Bill No. 26—An act making an appropriation to the Division of Fish and Game, Department of Natural Resources, for construction, improvements, repairs and equipment;

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following: That the amendments of the Senate be concurred in and that the bill, as amended, on February 12, 1946, be further amended as follows:

Amendment No. 1

On page 1, lines 4 and 5, of the printed bill, as amended, strike out "six hundred sixty-seven thousand five hundred dollars ($667,500)", and insert "six hundred ninety-two thousand five hundred dollars ($692,500)".

QUINN	ERWIN
MAYO	BURKHALTER
HULSE	LEONARD
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Collier, Crittenden, DeLap, Deuel, Dilworth, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Judah, Keating, Mayo, McBride, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Slater, Sutton, Swing, Tenney, Ward, and Weybret—31.

NOES—None.

RESOLUTIONS

The following resolution was offered:

By Senator Quinn:

Senate Resolution No. 47

Relating to the amendments to Assembly Bill No. 26 recommended by committee on conference on said bill

WHEREAS, The committee on conference on Assembly Bill No. 26 has recommended that said bill, as amended on February 12, 1946 be further amended so as to increase the appropriation by $25,000; and

WHEREAS, It is the intent and purpose of said increase to provide funds to be expended for tuna fisheries research facilities of the Fish and Game Commission; now, therefore, be it

Resolved by the Senate of the State of California, That the Fish and Game Commission is hereby requested to devote $25,000 of the sum appropriated to it by Assembly Bill No. 26 of this session to the purpose of tuna fisheries research facilities of said commission; provided, however, that if the appropriation made by said bill should be reduced said commission is requested to devote such portion of $25,000 to said purpose as the amount of the reduced appropriation bears to the amount appropriated by said bill as amended pursuant to the recommendation of said committee on conference; and be it further

Resolved, That the Secretary of the Senate is directed to transmit copies of this resolution to the members of the Fish and Game Commission and to the Director of Finance.

Resolution read, and adopted.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

SENATE CHAMBER, SACRAMENTO, February 18, 1946

MR. PRESIDENT: The Committee on Conference concerning:

Assembly Bill No. 62—An act to make an appropriation to the Veterans' Welfare Board to carry out the provisions of Section 699.5 of the Military and Veterans Code.

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:
That the amendments of the Senate, as amended in Senate February 12, 1946, be concurred in.

SUTTON	McCOLLISTER
QUINN	BURKHALTER
DILWORTH	GEDDES
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Collier, Crittenden, DeLap, Desmond, Deuel, Dilworth, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Keating, Mayo, McBride, Mixter, Parkman, Quinn, Rich, Salsman, Seawell, Slater, Sutton, Swing, Tenney, and Ward—29.
NOES—None.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, February 18, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Concurrent Resolution No. 12—Relative to requesting The Regents of the University of California and the State Board of Education to study the need for expansion of higher education facilities at Sacramento Junior College, and to report thereon to the Legislature;

Senate Concurrent Resolution No. 18—Relative to adjournment sine die of the Fifty-sixth (First Extraordinary) Session of the Legislature of the State of California;

Senate Joint Resolution No. 5—Relative to memorializing the Secretary of Labor, the National Labor Relations Board, and the United States Conciliation Service, relative to the settlement of a jurisdictional labor dispute between the CIO Food, Tobacco, Agricultural, and Allied Workers' Union of America, and the American Federation of Labor Cannery Workers' Union, affiliated with the International Teamsters' Union;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the eighteenth day of February, 1946, at 3 p.m.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, February 18, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 2—An act to add Section 10.5 to the County Highway Aid Act of 1945 (Chapters 938 and 952 of the Statutes of 1945), relating to the expenditure of moneys for construction of highways, to take effect immediately;

Senate Bill No. 3—An act to provide for the acquisition, establishment, and operation of additional temporary hospital facilities for mental patients in State institutions, making an appropriation therefor, and declaring the urgency of the act, to take effect immediatly;

Senate Bill No. 42—An act to repeal Division 1 and Sections 691, 692, 693, 696, 697, 992, 992.3, 992.4, 1015, 1016, 1017, 1020, 1021, 1028, 1029, 1086, and 1087 of, to add Division 1 to, and to amend Section 1084 of, the Military and Veterans Code, to amend Section 18620 of, and to add Section 18629 to, the Business and Professions Code, providing for the reorganization of the State agencies concerned with veterans and veterans affairs and for matters incidental thereto, including the establishment of a Department of Veterans Affairs, California Veterans Board, and Director of Veterans Affairs and prescribing the powers, duties, purposes, and functions of each, abolishing the Department of Military and Veterans Affairs, creating the Office of The Adjutant General and placing The Adjutant General therein, incorporating the Division of Athletics within the Department of Professional and Vocational Standards, and providing for the transfer of funds, personnel, property and records;

And reports that the same have been correctly enrolled, and presented to the Governor on the eighteenth day of February, 1946, at 3 p.m.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, February 18, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 59—An act to add Section 10182 to the Education Code, relating to the instruction by correspondence of veterans enrolled in schools, or classes of school districts;

Senate Bill No. 66—An act to add Section 395.1 to the Military and Veterans Code and to repeal an act entitled "An act relating to public officers, deputies, assistants,

and employees, and their return to public service," approved May 31, 1943, relating to the rights of veterans to return to public office or employment upon release from the armed services of the United States, and declaring the urgency thereof, to take effect immediately;

Senate Bill No. 77—An act augmenting the appropriation to the California Veterans' Commission for support, to take effect immediately;

Senate Bill No. 97—An act to amend Sections 2941 and 2957 of, and to add Section 2941.5 to, the Civil Code, relating to mortgages, to take effect immediately;

Senate Bill No. 98—An act making an appropriation for the support of the Department of Veterans Affairs;

And reports that the same have been correctly enrolled, and presented to the Governor on the eighteenth day of February, 1946, at 3 p.m.

SEAWELL, Chairman

Committee on Governmental Efficiency

SENATE CHAMBER, SACRAMENTO, February 18, 1946

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which were referred:

Assembly Bill No. 19
Assembly Bill No. 170

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 11.

SWING, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, February 18, 1946

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred:

Assembly Bill No. 165

NOTE: This bill was received by the chairman of this committee too late to give notice to interested persons; nevertheless the committee elected to hear the bill notwithstanding that fact, and reports the same back with amendments with the recommendation amend and Do Pass, as amended.

Committee membership 11; committee vote: Ayes 7; noes 4.

SWING, Chairman

REQUEST FOR UNANIMOUS CONSENT

Senator Swing asked for, and was granted, unanimous consent to take up Assembly Bill No. 165, at this time, for consideration of committee amendments.

CONSIDERATION OF ASSEMBLY BILL NO. 165

Assembly Bill No. 165—An act to add Section 703 to the Military and Veterans Code, to amend Sections 19485, 19597, 19620, and 19627 of, and to add Section 19485.5 to, the Business and Professions Code, to provide money for the rehabilitation of veterans and assistance to veterans and their dependents from the proceeds of horse racing meetings.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

Amendment No. 1

On page 2, line 18, of the printed bill, as amended, in the Assembly on February 13, 1946, strike out "6", and insert "4".

Amendment No. 2

On page 2, line 29, of said bill, strike out "6", and insert "5".

Amendment No. 3

On page 2, lines 42 and 43 of said bill, strike out "ten million dollars ($10,000,000)", and insert "twenty million dollars ($20,000,000)".

Amendment No. 4

On page 2, lines 46 and 47 of said bill, strike out "ten million dollars ($10,000,000)", and insert "twenty million dollars ($20,000,000)".

Amendment No. 5

On page 3, line 6 of said bill, strike out "7", and insert "8".

Amendments read and adopted.

Bill ordered printed.

Motion to Suspend Rule No. 12

Senator Burns moved that Rule 12, Item 5, be suspended temporarily, at this time, so that Assembly Bill No. 165 can be placed on third reading file for consideration instead of being re-referred to Committee on Finance as required under Rule 12, Item 5.

The roll was called.

Call of the Senate

Pending the announcement of the vote, Senator Burns moved a call of the Senate.

Moton carried. Time, 11.10 a.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE SENATE

REPORTS OF STANDING COMMITTEES

Committee on Governmental Efficiency

SENATE CHAMBER, SACRAMENTO, February 18, 1946

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred:

Assembly Bill No. 90

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Finance.

Committee membership 11; committee vote: Ayes 11.

SWING, Chairman

Above reported bill ordered to second reading.

Committee on Finance

SENATE CHAMBER, SACRAMENTO, February 18, 1946

MR. PRESIDENT: Your Committee on Finance, to which was referred:

Assembly Bill No. 119

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 11; committee vote: Ayes 9; absent 2.

RICH, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, February 18, 1946

MR. PRESIDENT: Your Committee on Finance, to which were referred:

Assembly Bill No. 149
Assembly Bill No. 154
Assembly Bill No. 163
Assembly Bill No. 166
Assembly Bill No. 168

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; absent 2.

RICH, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, February 18, 1946

MR. PRESIDENT: Your Committee on Finance, to which was referred:

Assembly Bill No. 156

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 6; noes 2; absent 3.

RICH, Chairman

Above reported bill ordered to second reading.

Committee on Rules

SENATE CHAMBER, SACRAMENTO, February 18, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Assembly Bill No. 58

Has had the same under consideration, and finds that same is within the purview of the call, and directs that it be referred to the Committee on Social Welfare.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

Above reported bill referred to Committee on Social Welfare.

SENATE CHAMBER, SACRAMENTO, February 18, 1946

MR. PRESIDENT: Your Committee on Rules, to which were referred:

Senate Resolution No. 37
Senate Resolution No. 32
Senate Resolution No. 34
Senate Resolution No. 26
Senate Resolution No. 35
Assembly Concurrent Resolution No. 20
Assembly Concurrent Resolution No. 3
Assembly Concurrent Resolution No. 33

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

Above reported resolutions ordered to third reading.

SENATE CHAMBER, SACRAMENTO, February 19, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Senate Resolution No. 31

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

Above reported resolution ordered to second reading.

Committee on Business and Professions

SENATE CHAMBER, SACRAMENTO, February 19, 1946

MR. PRESIDENT: Your Committee on Business and Professions, to which were referred:

Assembly Bill No. 71
Assembly Bill No. 155

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 5; absent 4.

DELAP, Chairman

Above reported bills ordered to second reading.

WITHDRAWAL FROM COMMITTEE OF ASSEMBLY BILL NO. 137

Senator Hatfield moved that Assembly Bill No. 137 be withdrawn from Committee on Agriculture for purpose of amendment, and referred to Committee on Finance.

Motion carried.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 137—An act to amend Sections 3 and 5 of, and to add Sections 1.5, 38, 38.1, 38.2, 38.3, 38.4, and 38.5 to, the California Food and Fiber Production Act, relating to the providing of housing facilities for agricultural labor, authorizing the granting of assistance to local agencies for the purpose of providing such housing, authorizing such local agencies to provide such housing facilities and defining their powers and duties in respect thereto, making an appropriation, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Motion to Amend

Senator Hatfield moved the adoption of the following amendments:

Amendment No. 1

In the title of the printed bill, as amended in the Assembly on February 15, 1946, strike out lines 1 and 2, and insert

"An act to amend Section 5 of, and to add Sections 1.5, 3.5, 38, and 38.1 to, the California Food".

Amendment No. 2

On page 1 of said bill, strike out lines 3, 4, and 5, and insert

"SEC. 1.5. The Legislature finds that in agricultural areas there is a serious shortage of housing for farm labor and declares that it is the policy of the State to aid".

Amendment No. 3

On page 1, line 9, of said bill, strike out "temporary".

Amendment No. 4

On page 2 of said bill, strike out lines 1 to 52, inclusive; and strike out all of pages 3, 4, 5; on page 6, strike out lines 1 to 3, inclusive, and insert

"SEC. 2. Section 3.5 is added to said act, to read:

Sec. 3.5. As used in this act "local agency" means any county, city and county, city, or a housing authority of any thereof.

SEC. 3. Section 38 is added to said act, to read:

Sec. 38. The director may assist local agencies in acquiring and using surplus housing or property adaptable for housing from the United States or any of its agencies for housing of agricultural labor, upon such terms and conditions as the director may determine, with the approval of the council. State assistance under this act shall not exceed 90 per cent of the cost of any housing facility acquired or to be acquired by a local agency.

Each local agency may do any and all acts necessary or desirable to enable it to acquire, erect, alter, operate, lease, maintain, and administer any housing facilities for housing farm labor with assistance under this act and to those ends may contract and comply with the requirements of the director and make any other contracts and meet any other requirements.

Veterans seeking and obtaining employment as farm labor shall have first preference for themselves and families in occupying such housing facilities.

SEC. 4. Section 38.1 is added to said act, to read:

Sec. 38.1. In providing housing pursuant to this act, a local agency shall not be subject to any State statute or regulation prescribing standards of construction, repair, maintenance or use of buildings. As to the housing provided for in this act, the governing body of any local agency by which any ordinance or regulation prescribing the use or occupancy of land or standards of construction, repair, maintenance or use of buildings was enacted may by ordinance or resolution suspend or make inapplicable all or a part of any such ordinance or regulation.

A housing authority insofar as its operations under this act are concerned shall not be subject to any provisions of the Housing Authority Law relating to rentals and tenant selection, particularly the limitations in Section 10 and in the second sentence of Section 9 of said act.

Nothing in this act is intended to, nor does it, render any of the provisions of Part 7 of Division 2 of the Labor Code inapplicable to any public works to which it would otherwise apply."

Amendment No. 5

On page 6, line 4, of said bill, strike out "9", and insert "5".

Amendment No. 6

On page 6, lines 6 and 7, of said bill, strike out "Fifty-seventh", and insert "Fifty-sixth".

Amendment No. 7

On page 6, line 26, of said bill, strike out "Fifty-seventh", and insert "Fifty-sixth".

Amendment No. 8

On page 6, line 29, of said bill, strike out "10", and insert "6".

Amendment No. 9

On page 6, line 39, of said bill, strike out "11", and insert "7".

Amendments read and adopted.

Bill ordered printed, and referred to Committee on Finance.

THIRD READING OF SENATE BILLS (OUT OF ORDER)
RESOLUTIONS

The following resolutions were offered:

By Senator Powers:

Senate Resolution No. 42

Resolved, That the Secretary of the Senate be and he is hereby directed to prepare files of all bills and other records of the Senate and to deposit such books, bills and other records with the Secretary of State as provided by law, to attend to the correspondence of the Senate and to mail to such of the public as may apply therefor copies of legislative enactments as provided in the Joint Rules of the Senate and Assembly. The Secretary is further directed to supervise the indexing, correcting, comparing, and proof reading, of the Journal of the Senate and make the information therein contained readily available for use of Members of the Legislature, State officers and the general public, as a permanent record of the business transacted during the Fifty-sixth Extraordinary Session of the Legislature. The Secretary is further directed to prepare and have published a Final Calendar of the business of the Fifty-sixth Extraordinary Session, said calendar to comprise the history of all bills introduced, their authors, the number that shall have become laws, those that shall have been read a second time, and any and all such other information as will provide a perfect history of the session's business and a guide for the information of subsequent sessions of the Legislature. When said Final Calendar is prepared, the Secretary is directed to forward one copy to each public library in the State and shall distribute others as by Joint Rule No. 13 provided. The Secretary is further directed to have printed and bound and to distribute copies of the Constitution, the Vehicle Code, and such legislative publications and enactments as shall become exhausted or for which there shall be a demand.

The printing, binding, proof reading, etc., of such publications shall be performed under the direction of the Secretary and the Secretary may have the same charged to the Legislative Printing Fund or may pay for services rendered incidental to such printing from other funds within his control.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Judah, Keating, Mayo, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Swing, Tenney, Ward, and Weybret—33.

NOES—None.

By Senator Powers:

Senate Resolution No. 43

WHEREAS, It will be necessary for the Secretary of the Senate subsequent to adjournment to conduct the business of the Senate concluding the Fifty-sixth (First Extraordinary) Session, and perform the duties provided by law, the Standing Rules of the Senate, Joint Rules and resolutions adopted by the Senate and to employ certain necessary assistance incident thereto; therefore be it

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrants in favor of the Secretary of the Senate and in favor of officers and employees who render services to the Senate as certified weekly by the Secretary, from the fund set aside for the pay of officers and employees of the Senate at the per diem as certified by the Secretary of the Senate, and the Treasurer is hereby directed to pay the same.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Judah, Keating, Mayo, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—34.
NOES—None.

By the Committee on Rules:

Senate Resolution No. 44

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the Contingent Fund of the Senate in the sum of five thousand dollars ($5,000) in favor of Joseph A. Beek, Secretary of the Senate, and the Treasurer is hereby directed to pay the same, for postage, telephone service, telegraph service, supplies, rental of typewriters, illuminating resolutions, bills from State Department of Finance, H. S. Crocker Company, Newbert Hardware Company, traveling expenses and any other incidental expenses in connection with conducting and concluding the business of the Senate, including compensation for services rendered to the Senate prior to, during, or subsequent to the Fifty-sixth (First Extraordinary) Session thereof, and performing any duties imposed by the Rules or Resolutions of the Senate, also to pay any bills for incidental expenses of the Senate for which payment has not been provided by any other resolution.

The Secretary of the Senate is instructed to file with the Controller receipts covering all expenditures made hereunder.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Judah, Keating, Mayo, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—34.
NOES—None.

By the Committee on Rules:

Senate Resolution No. 45

WHEREAS, The manpower shortage so keenly felt by private industry during and immediately after the war was also experienced by various departments of the State government, especially by the State Bureau of Printing; and

WHEREAS, Certain former officers of the Senate, who are again serving the Senate at this Extraordinary Session and who are familiar with legislative printing, offered their services to the Bureau of Printing in this emergency and served indexing and proof reading certain legislative publications for a compensation considerably less than that paid for similar services for the Senate; now, therefore, be it

Resolved, That Jacqueline Anderson, Helen Hutchings, and Harry L. Jordan, who offered and rendered exceptionally valuable services, be thanked for their aid and for the spirit which prompted them to serve in a time of need; and, be it further

Resolved, That the Secretary of the Senate be, and he is hereby instructed, to present a copy of this Resolution to each of the above-named officers of the Senate.

Resolution read and adopted.

MOTION TO APPROVE SENATE JOURNAL

Senator Powers moved that the Senate Journal of Monday, February 11, 1946; Tuesday, February 12, 1946; Wednesday, February 13, 1946; Thursday, February 14, 1946; Friday, February 15, 1946; Saturday, February 16, 1946; and Monday, February 18, 1946, be approved as corrected by the Minute Clerk, and the Journal Clerk.

Motion carried.

MOTION TO SUSPEND RULE NO. 21

Senator Powers moved that Senate Rule 21 be suspended temporarily at this time, for the purpose of amending Rule No. 11.

The roll was called, and the motion carried by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Judah, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Ward, and Weybret—34.
NOES—None.

MOTION TO AMEND SENATE RULE NO. 11

Senator Powers moved the adoption of the following amendment to Senate Rule No. 11:

Amendment to Senate Rule No. 11

The Committee on Rules shall consist of the President pro tempore of the Senate, who shall be the chairman of the committee, and four other members of the Senate to be elected by the Senate.

The Committee on Rules shall appoint all other committees of the Senate unless otherwise directed by the Senate and shall designate a chairman of each committee so appointed and a vice chairman of each standing committee.

In making committee appointments, the Rules Committee shall give consideration to seniority, preference, and experience; provided, however, that in making committee appointments, the Rules Committee shall, so far as practical, give equal representation to all parts of the State.

The Senate Committee on Finance shall consist of four Senate Members of the Legislative Budget Committee and seven additional Members of the Senate appointed by the Committee on Rules.

Ten days before the commencement of any regular session of the Legislature, the Secretary of the Senate shall mail to each member a blank, in a form approved by the Rules Committee, on which the member may indicate his committee preferences and with such blank shall be mailed a stamped envelope addressed to the Rules Committee, care of the Secretary, for the convenience of the member in returning such form with his preferences thereon. All such communications shall be retained by the Secretary unopened and shall be delivered to the Rules Committee immediately upon the organization of the Senate.

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Judah, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, and Ward—33.
NOES—None.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 128—An act providing for a new women's prison, making an appropriation for the acquisition of real property for a site therefor, and authorizing the Department of Corrections to construct and equip such prison.

Motion to Re-refer Assembly Bill No. 128

Senator Breed moved that Assembly Bill No. 128 be re-referred to Committee on Finance.

Motion carried.

REPORTS OF STANDING COMMITTEES

Committee on Social Welfare

SENATE CHAMBER, SACRAMENTO, February 19, 1946

MR. PRESIDENT: Your Committee on Social Welfare, to which was referred:

Assembly Bill No. 58

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 11.

MAYO, Chairman

Above reported bill ordered to second reading.

APPOINTMENT OF COMMITTEE ON CONFERENCE

SENATE CHAMBER, SACRAMENTO, February 19, 1946

MR. PRESIDENT: Your Committee on Rules announces the appointment of Senators Quinn, Keating, and Shelley as a Senate Committee on Conference concerning Assembly Bill No. 146 to meet a like committee of the Assembly.

SENATE COMMITTEE ON RULES
SEAWELL, Chairman

MOTION TO READ BILLS SECOND TIME

Senator Powers moved that all bills reported from committees be given second reading, at this time, for the purpose of being placed on third reading file for consideration.

Motion carried.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 19—An act to amend Sections 18540, 18541 and 18973 of the Government Code, relating to veterans' preference in State civil service.

Bill read second time, and ordered to third reading.

Assembly Bill No. 170—An act to add Sections 20602.3 and 20602.9 to the Government Code, and to repeal Sections 20602.2 and 20602.7 thereof, relating to the State Employees' Retirement System, and providing for the rights and privileges of patrol members and warden members thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 90—An act to authorize the Veterans' Welfare Board to acquire or erect buildings at colleges and universities for the purpose of furnishing housing accommodations for veterans attending the colleges and universities, providing for the operation and maintenance of such buildings, and making an appropriation, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency:

Amendment No. 1

On page 1, line 2, of the printed bill, as amended in the Assembly on February 11, 1946, after "college", insert ", including junior colleges,".

Amendment read and adopted.

Bill ordered printed, and referred to Committee on Finance.

Assembly Bill No. 119—An act providing for a program of public works construction for distressed school districts, creating the State School Building Commission, and making an appropriation to carry out the provisions of this act.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on February 19, 1946, strike out "school district public works", and insert "public works construction for distressed school districts".

Amendment No. 2

In lines 2 and 3 of the title of said bill, strike out "establishing the State School Building Fund,".

Amendment No. 3

On page 1, line 3, of said bill, before "school", insert "distressed".

Amendment No. 4

On page 1, line 7, of said bill, after "State.", insert "The Legislature finds that there exist in this State many school districts which have insufficient financial resources to provide necessary and adequate facilities for the proper care and education of the pupils, and that such distressed school districts must be assisted."

Amendment No. 5

On page 1, line 8, of said bill, after "SEC. 2.", strike out "The", and insert

"A "distressed school district," as used in this act, is one that the State School Building Commission, hereinafter created, determines, after investigation and hearing, has insufficient financial resources, including the power of such district to issue bonds and to levy taxes in the amounts prescribed by Section 6357 of the Education Code, to provide adequately for the facilities specified in this section.

The".

Amendment No. 6

On page 1, line 9, of said bill, after "to", insert "distressed".

Amendment No. 7

On page 2, line 2, of said bill, strike out "such public works.", and insert "public works in which there is a State interest."

Amendment No. 8

On page 2, lines 4 and 5, of said bill, strike out "thirty million dollars ($30,000,000)", and insert "to the State School Building Commission the sum of fifteen million dollars ($15,000,000)".

Amendment No. 9

On page 2, line 19, of said bill, after "eligibility of", insert "distressed".

Amendment No. 10

On page 2, line 23, of said bill, strike out "provisions", and insert "purposes".

Amendment No. 11

On page 2, lines 25 and 26, of said bill, strike out "three-fourths of 1", and insert "2".

Amendment No. 12

On page 2 of said bill, strike out lines 27 to 50, inclusive; and strike out all of page 3; and on page 4, strike out lines 1 to 3, inclusive, and insert

"SEC. 6. Any school district may apply to the State School Building Commission for an apportionment of the money hereby appropriated. Upon receipt of such application the State School Building Commission shall set the matter for hearing. After hearing the commission shall determine whether the school district is in fact a distressed school district, as defined in Section 2, the amount of money which should be apportioned to the distressed school district, and the purposes to which such money shall be applied. The commission shall also determine the extent to which the distressed school district is able and shall be required to raise additional funds.

No apportionment shall be made to any school district hereunder unless it is made to appear to the commission that the school district has for the school year during which application is made levied the maximum tax rate prescribed by Section 6357 of the Education Code and that the total amount of bonds issued or authorized by the school district is or exceeds 80 per cent of the total amount of bonds the school district is permitted to issue pursuant to the Education Code, or that the school district will authorize and issue bonds up to 80 per cent of the amount authorized in furtherance of the purposes of Section 2.

In determining the purposes to which any apportionment hereunder may be applied, the commission shall consider the standardization of school buildings for maximum utility as recommended by the Division of Architecture of the Department of Public Works, after consultation with the Department of Education.

If the commission determines that the distressed school district shall raise additional funds, it shall set aside for that district the sum to be apportioned to it and shall make the money available only if the distressed school district does raise and make available for the purposes of Section 2 the amount of additional money required. The commission shall determine the time within which the distressed school district shall raise the required sum, and may from time to time make such modifications in its order as it deems proper. If the distressed school district fails to comply with the order of the commission within the time limit imposed as it may be modified, the amount of money set aside for the distressed school district shall not be made available for the district, but shall revert to the State School Building Commission to be again apportioned pursuant to this act.

The State School Building Commission shall consult with and request the advice of the State Commission on School Districts or may consult with any other department or agency of the State."

Amendment No. 13

On page 4, line 4, of said bill, strike out "SEC. 8.", and insert "SEC. 7."

Amendment No. 14

On page 4, line 6, of said bill, after "to a", insert "distressed".

Amendment No. 15

On page 4, line 13, of said bill, strike out "consolidation", and insert "unionization or reorganization".

Amendment No. 16

On page 4 of said bill, strike out lines 14, 15, and 16, and insert "districts, but shall be used only for the purposes for which said moneys were apportioned to the distressed school district and for no other purpose."

Amendment No. 17

On page 4, line 17, of said bill, strike out "SEC. 9.", and insert "SEC. 8.".

Amendment No. 18

On page 4, line 24, of said bill, strike out "State School Building Fund", and insert "appropriation made by this act".

Amendment No. 19

On page 4, line 25, of said bill, strike out "Sec. 10.", and insert "SEC. 9.".

Amendment No. 20

On page 4, line 28, of said bill, before "school", insert "distressed".

Amendment No. 21

On page 4 of said bill, strike out lines 31 to 35, inclusive.

Amendments read and adopted.

Bill ordered printed, and to third reading.

Assembly Bill No. 149—An act making an appropriation for construction, improvements, and equipment for the Training Center for Adult Blind, Department of Education, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 154—An act making an appropriation for support of the Division of Fish and Game, Department of Natural Resources, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 163—An act to add Section 1477.5 to the Labor Code, relating to the Commission of Housing, making an appropriation, declaring the urgency hereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 166—An act to amend Section 3 of an act entitled "An act to amend Sections 306 and 312 of the Agricultural Code, making an appropriation for carrying out the provisions of said code and declar-

ing the effective date of this act, relating to meat inspection,'' approved July 10, 1945, relating to meat inspection and providing for an extension of the period within which veterans who own or establish slaughtering or meat food manufacturing establishments may elect to assume State inspection, declaring the urgency of this act, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 168—An act to amend Section 303 of the Unemployment Insurance Act to make an appropriation to carry out the provisions of Article 10 of said act, relating to unemployment compensation disability payments.

Bill read second time, and ordered to third reading.

Assembly Bill No. 156—An act making an appropriation to carry out the State postwar building program in respect to the Veterans' Home of California.

Bill read second time, and ordered to third reading.

Assembly Bill No. 71—An act to amend Section 5082 of the Business and Professions Code, relating to the registration of veterans as public accountants.

Bill read second time, and ordered to third reading.

Assembly Bill No. 155—An act to amend Section 6951 of the Business and Professions Code, relating to the regulation and licensing of collection agencies, declaring the urgency of this act, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 58—An act to amend Sections 154 and 460 of the Unemployment Insurance Act relating to a system of unemployment compensation disability benefit payments within the Unemployment Compensation System.

Bill read second time, and ordered to third reading.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH

At 11.35 a.m., on motion of Senator Burns, further proceedings under the call of the Senate were dispensed with.

The names of the absentees were called, and Rule 12, Item 5, suspended temporarily by the following vote:

AYES—Senators Brown, Burns, Collier, Crittenden, Cunningham, Desmond, Dillinger, Dorsey, Gordon, Hatfield, Judah, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Seawell, Shelley, Tenney, Ward, and Weybret—23.

NOES—Senators Biggar, Breed, Carter, DeLap, Deuel, Dilworth, Donnelly, Hulse, Quinn, Rich, Salsman, Slater, Sutton, and Swing—14.

MOTION TO PRINT COPIES OF ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 39

Senator Desmond moved that 2,500 copies of Assembly Constitutional Amendment No. 39, of the Fifty-sixth Regular Session, be printed.

Motion carried.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 79—An act providing for research and its adaptation to the production, processing, distribution and utilization of agricultural products grown in the State of California and making an appropriation therefor, declaring the urgency of this act, to take effect immediately.

Motion to Re-refer Assembly Bill No. 79

Senator Hatfield moved that Assembly Bill No. 79 be re-referred to Committee on Finance.

Motion carried.

Assembly Bill No. 49—An act making an appropriation to the Department of Finance for the acquisition of real property, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Rich.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Crittenden, Cunningham, DeLap, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Judah, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Tenney, Ward, and Weybret—29.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Judah, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Tenney, Ward, and Weybret—32.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 50—An act making an appropriation to the California Youth Authority for the acquisition of real property, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Rich.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Gordon, Hatfield, Judah, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Slater, Tenney, Ward, and Weybret—30.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Donnelly, Gordon, Judah, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Slater, Tenney, Ward, and Weybret—28.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 169—An act to add Section 14126.1 to the Education Code, relating to the placement of veterans on eligibility lists for positions in the classified service of school districts, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Tenney.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Judah, Keating, Mayo, McBride, McCormack, Mixter, Powers, Quinn, Salsman, Seawell, Slater, Sutton, Swing, Tenney, Ward, and Weybret—29.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Judah, Keating, Mayo, McBride, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Slater, Sutton, Swing, Tenney, Ward, and Weybret—30.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 172—An act to amend Sections 6 and 7 of an act entitled "An act making an appropriation for allocation to cities, counties, and cities and counties for the prevention or alleviation of unemployment through the construction of public works in which there is a State interest, and providing the procedure for making such allocations, and for assignment of such allocations," Chapter 20, Statutes of 1946, relating to the administration of said act.

Bill read third time, and presented by Senator Hulse.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Burns, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Judah, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—35.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Concurrent Resolution No. 26—Relative to the creation of a Joint Interim Committee on Aviation.

Resolution read, and presented by Senator Salsman.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Judah, Keating, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—34.
NOES—None.

Resolution ordered transmitted to the Assembly.

UNFINISHED BUSINESS

Consideration of Assembly Amendments

Senate Bill No. 41—An act making an appropriation for projects for flood control in this State, declaring the urgency of this act, to take effect immediately.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Bill No. 41?

Amendment No. 1

In line 4 of the title of the printed bill, as amended in the Senate on February 11, 1946, strike out "other provision for such", and insert "allocations for certain".

Amendment No. 2

On page 1, lines 7 and 8, of said bill, strike out "set aside and authorize the expenditure of", and insert "appropriate".

Amendment No. 3

On page 1, lines 9 and 10, of said bill, strike out "made available for expenditure", and insert "allocated".

Amendment No. 4

On page 2, line 22, of said bill, strike out "made available", and insert "allocated".

Amendment No. 5

On page 2, line 23, of said bill, strike out "any".

Amendment No. 6

On page 2, line 25, of said bill, after "this", insert "proviso".

Amendment No. 7

On page 2, lines 34 and 35, of said bill, strike out "made available for expenditure", and insert "expended".

Amendment No. 8

On page 2, line 38, of said bill, strike out "otherwise provided in", and insert "provided in Sections 13, 14, and 15 of".

Amendment No. 9

On page 2, line 45, of said bill, strike out "State Treasurer with the approval of the".

Amendment No. 10

On page 2, lines 50 and 51, of said bill, strike out "by the State Treasurer with the approval of the Director of Finance if in their", and insert "if in his".

Amendment No. 11

On page 3, lines 13 and 14, of said bill, strike out "may be made available from said fund for expenditure", and insert "shall not be expended".

Amendment No. 12

On page 3, line 15, of said bill, strike out "only as provided in", and insert "except as allocated in Sections 13, 14, and 15 of".

Amendment No. 13

On page 3, line 22, of said bill, strike out "allocate"; and strike out line 23; and in line 24 strike out "expenditure", and insert "not reallocate the funds allocated to it by Sections 13 and 14".

Amendment No. 14

On page 3, lines 33 and 34, of said bill, strike out "herein made available for allocation by the State Water Resources Board shall be allocated", and insert "allocated by Sections 13 and 14 shall be reallocated".

Amendment No. 15

On page 3, line 44, of said bill, strike out "allocation", and insert "reallocation".

Amendment No. 16

On page 3, lines 48 and 49, of said bill, strike out "made available for expenditure herein", and insert "allocated by said sections".

Amendment No. 17

On page 3, lines 50 and 51, of said bill, strike out "money herein made available for allocation by the State Water Resources Board is made available", and insert "allocations made by Section 13 and 14 are made".

Amendment No. 18

On page 3, line 52, of said bill, strike out "is", and insert "are".

Amendment No. 19

On page 4, line 1, of said bill, strike out "the moneys so made available", and insert "such allocations".

Amendment No. 20

On page 4, line 7, of said bill, strike out "made available", and insert "allocated".

Amendment No. 21

On page 4, line 8, of said bill, strike out "allocation", and insert "reallocation".

Amendment No. 22

On page 4, line 9, of said bill, after "ment", insert ", and for reimbursement for necessary advances made,".

Amendment No. 23

On page 4, line 16, of said bill, strike out "made available", and insert "allocated".

Amendment No. 24

On page 4, line 17, of said bill, strike out "allocation", and insert "reallocation".

Amendment No. 25

On page 4, line 18, of said bill, after "payment", insert ", and for reimbursement for necessary advances made,".

Amendment No. 26

On page 4, line 28, of said bill, strike out "made available", and insert "allocated".

Amendment No. 27

On page 4, line 44, of said bill, strike out "made available for expenditure", and insert "allocated".

Amendment No. 28

On page 4, line 45, of said bill, strike out "so made available", and insert "allocated".

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 41 by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Judah, Keating, McBride, McCormack, Mixter, Parkman, Powers, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—34.
NOES—None.

Above bill ordered enrolled.

RESOLUTIONS

The following resolution was offered:

By Senator Carter:

Senate Resolution No. 48

Relative to the creation of a Senate Interim Committee on the Economic Development of California

WHEREAS, The State of California is now confronted with serious problems of postwar reconversion and must, during the next few years, make adequate plans and enact appropriate legislation for the development and prosperity of California industry and business and the full utilization of her natural and economic resources in order to provide for continued prosperity of the State and for the gainful employment of the citizens of the State; and

WHEREAS, The maladjustment of economic conditions and the severe business depression with its consequent unemployment which followed the cessation of hostilities in the first World War provides a grim reminder of the necessity for the formulation of long range plans which will cushion the economic shock of termination of the present war and the cessation of wartime construction, manufacture and production; and

WHEREAS, If employment and business activity are to be maintained at the highest possible level during the coming years, plans must be made to

(a) Absorb defense industry workers and returning veterans in peacetime enterprises, and to that end the development of new industries and new uses for the economic production and natural resources of the State must be stimulated and encouraged;

(b) To develop new and adequate markets for the products of California industries and farms and to free certain existing markets from the monopolistic control of interests adverse to the development of western industry;

(c) To provide for and develop adequate transportation facilities for the transportation of California products to market at reasonable rates;

(d) Provide housing and educational facilities to accommodate the population shifts caused by the migration of workers as result of reconversion from wartime to peacetime industry;

(e) Provide for a constructive program of economic development which will assure the gainful employment of all citizens of the State; and

The question being: Shall the Senate concur in the following Assembly amendments to Senate Bill No. 41?

Amendment No. 1

In line 4 of the title of the printed bill, as amended in the Senate on February 11, 1946, strike out "other provision for such", and insert "allocations for certain".

Amendment No. 2

On page 1, lines 7 and 8, of said bill, strike out "set aside and authorize the expenditure of", and insert "appropriate".

Amendment No. 3

On page 1, lines 9 and 10, of said bill, strike out "made available for expenditure", and insert "allocated".

Amendment No. 4

On page 2, line 22, of said bill, strike out "made available", and insert "allocated".

Amendment No. 5

On page 2, line 23, of said bill, strike out "any".

Amendment No. 6

On page 2, line 25, of said bill, after "this", insert "proviso".

Amendment No. 7

On page 2, lines 34 and 35, of said bill, strike out "made available for expenditure", and insert "expended".

Amendment No. 8

On page 2, line 38, of said bill, strike out "otherwise provided in", and insert "provided in Sections 13, 14, and 15 of".

Amendment No. 9

On page 2, line 45, of said bill, strike out "State Treasurer with the approval of the".

Amendment No. 10

On page 2, lines 50 and 51, of said bill, strike out "by the State Treasurer with the approval of the Director of Finance if in their", and insert "if in his".

Amendment No. 11

On page 3, lines 13 and 14, of said bill, strike out "may be made available from said fund for expenditure", and insert "shall not be expended".

Amendment No. 12

On page 3, line 15, of said bill, strike out "only as provided in", and insert "except as allocated in Sections 13, 14, and 15 of".

Amendment No. 13

On page 3, line 22, of said bill, strike out "allocate"; and strike out line 23; and in line 24 strike out "expenditure", and insert "not reallocate the funds allocated to it by Sections 13 and 14".

Amendment No. 14

On page 3, lines 33 and 34, of said bill, strike out "herein made available for allocation by the State Water Resources Board shall be allocated", and insert "allocated by Sections 13 and 14 shall be reallocated".

Amendment No. 15

On page 3, line 44, of said bill, strike out "allocation", and insert "reallocation".

Amendment No. 16

On page 3, lines 48 and 49, of said bill, strike out "made available for expenditure herein", and insert "allocated by said sections".

Amendment No. 17

On page 3, lines 50 and 51, of said bill, strike out "money herein made available for allocation by the State Water Resources Board is made available", and insert "allocations made by Section 13 and 14 are made".

Amendment No. 18

On page 3, line 52, of said bill, strike out "is", and insert "are".

Amendment No. 19

On page 4, line 1, of said bill, strike out "the moneys so made available", and insert "such allocations".

Amendment No. 20

On page 4, line 7, of said bill, strike out "made available", and insert "allocated".

Amendment No. 21

On page 4, line 8, of said bill, strike out "allocation", and insert "reallocation".

Amendment No. 22

On page 4, line 9, of said bill, after "ment", insert ", and for reimbursement for necessary advances made,".

Amendment No. 23

On page 4, line 16, of said bill, strike out "made available", and insert "allocated".

Amendment No. 24

On page 4, line 17, of said bill, strike out "allocation", and insert "reallocation".

Amendment No. 25

On page 4, line 18, of said bill, after "payment", insert ", and for reimbursement for necessary advances made,".

Amendment No. 26

On page 4, line 28, of said bill, strike out "made available", and insert "allocated".

Amendment No. 27

On page 4, line 44, of said bill, strike out "made available for expenditure", and insert "allocated".

Amendment No. 28

On page 4, line 45, of said bill, strike out "so made available", and insert "allocated".

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 41 by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Judah, Keating, McBride, McCormack, Mixter, Parkman, Powers, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—34.
NOES—None.

Above bill ordered enrolled.

RESOLUTIONS

The following resolution was offered:

By Senator Carter:

Senate Resolution No. 48

Relative to the creation of a Senate Interim Committee on the Economic Development of California

WHEREAS, The State of California is now confronted with serious problems of postwar reconversion and must, during the next few years, make adequate plans and enact appropriate legislation for the development and prosperity of California industry and business and the full utilization of her natural and economic resources in order to provide for continued prosperity of the State and for the gainful employment of the citizens of the State; and

WHEREAS, The maladjustment of economic conditions and the severe business depression with its consequent unemployment which followed the cessation of hostilities in the first World War provides a grim reminder of the necessity for the formulation of long range plans which will cushion the economic shock of termination of the present war and the cessation of wartime construction, manufacture and production; and

WHEREAS, If employment and business activity are to be maintained at the highest possible level during the coming years, plans must be made to

(a) Absorb defense industry workers and returning veterans in peacetime enterprises, and to that end the development of new industries and new uses for the economic production and natural resources of the State must be stimulated and encouraged;

(b) To develop new and adequate markets for the products of California industries and farms and to free certain existing markets from the monopolistic control of interests adverse to the development of western industry;

(c) To provide for and develop adequate transportation facilities for the transportation of California products to market at reasonable rates;

(d) Provide housing and educational facilities to accommodate the population shifts caused by the migration of workers as result of reconversion from wartime to peacetime industry;

(e) Provide for a constructive program of economic development which will assure the gainful employment of all citizens of the State; and

Reorganization (created by Senate Resolution No. 142, adopted June 16, 1945) and its members and for any charges, expenses, or claims it may incur under said resolution, to be paid from the Contingent Fund of the Senate and disbursed after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Seawell, Slater, Sutton, Swing, Ward, and Weybret—32.

NOES—None.

By Senators Quinn, Dilworth, DeLap, Biggar, and Mixter:

Senate Resolution No. 35

Relative to augmenting the funds of the Senate Interim Committee on Veterans Affairs

Resolved by the Senate of the State of California, That in addition to any money heretofore made available, the sum of five thousand dollars ($5,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the Senate Interim Committee on Veterans Affairs (created by Senate Resolution No. 150, Fifty-sixth Regular Session, adopted June 16, 1945) and its members and for any charges, expenses, or claims it may incur under said resolution, to be paid from the Contingent Fund of the Senate and disbursed after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Judah, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Seawell, Slater, Sutton, Swing, Ward, and Weybret—31.

NOES—None.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Concurrent Resolution No. 20—Relative to the creation of a Joint Committee on the Housing Emergency.

Resolution read, and presented by Senator Tenney.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Carter, Collier, Crittenden, DeLap, Desmond, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Seawell, Slater, Sutton, Swing, Tenney, Ward, and Weybret—31.

NOES—None.

Resolution ordered transmitted to the Assembly.

Assembly Concurrent Resolution No. 3—Relative to creating a Joint Committee on Preschool and Primary Training of Children.

Resolution read, and presented by Senator Tenney.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Judah, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Seawell, Slater, Swing, Tenney, Ward, and Weybret—31.

NOES—None.

Resolution ordered transmitted to the Assembly.

CONSIDERATION OF SENATE RESOLUTION NO. 31

By Senator Gordon:

Senate Resolution No. 31

Relating to creating a Senate Interim Committee to study and investigate the proposed construction of a dam on Putah Creek

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

In line 1 of last paragraph of said resolution as printed in the Senate Daily Journal for February 13, 1946, at pages 503 and 504, strike out "seven hundred fifty dollars ($750)", and insert "two thousand five hundred dollars ($2,500)".

Amendment read, and adopted.

Further Consideration of Senate Resolution No. 31, as amended

Senate Resolution No. 31

Relating to creating a Senate Interim Committee to study and investigate the proposed construction of a dam on Putah Creek

WHEREAS, Proposals have been made that a dam be constructed on Putah Creek in Napa County for flood control and irrigation purposes; and

WHEREAS, Construction of such a public work may require an appropriation of State funds for expenditure in cooperation with local or Federal agencies, or both; and

WHEREAS, Before making such an appropriation, it is essential that the Legislature be fully informed as to the desirability and need for the construction of such a public work, the most desirable location therefor, the economic effect thereof, and the most desirable method of financing the cost of construction thereof; now, therefore, be it

Resolved by the Senate of the State of California, as follows:

1. The Senate Committee on the Construction of Putah Creek Dam is hereby created and appointed and authorized and directed to ascertain, study and analyze all facts relating to the proposal to construct a dam on Putah Creek in Napa County, the desirability and need therefor, the most desirable location therefor, the economic advantages or disadvantages which may result therefrom, and the most desirable method of financing the cost thereof, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Senate, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of five members of the Senate appointed by the Committee on Rules thereof. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the next regular session, with authority to file its final report not later than the fifteenth legislative day of the next regular session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a chairman and a vice chairman from its membership.

(b) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(d) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of two thousand five hundred dollars ($2,500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the

Senate for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, as amended.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Crittenden, Cunningham, DeLap, Desmond, Denel, Dillinger, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Judah, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Seawell, Slater, Sutton, Swing, Tenney, Ward, and Weybret—33.

NOES—None.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 99—An act making an appropriation to the Reclamation Board for the payment of the cost of the project for the Fresno County Stream Group for flood control.

Motion to Re-refer Assembly Bill No. 99

Senator Burns moved that Assembly Bill No. 99 be re-referred to Committee on Finance.

Motion carried.

Assembly Concurrent Resolution No. 33—Relative to investigating the operation of motor vehicles and buses.

Resolution read, and presented by Senator Tenney.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, DeLap, Desmond, Denel, Dilworth, Donnelly, Dorsey, Gordon, Hatfield, Judah, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Seawell, Slater, Sutton, Swing, Tenney, Ward, and Weybret—32.

NOES—None.

Resolution ordered transmitted to the Assembly.

REQUEST FOR UNANIMOUS CONSENT

Senator Tenney asked for, and was granted, unanimous consent to have the following partial report of the Committee on Un-American Activities, printed in the Journal:

JOINT FACT-FINDING COMMITTEE ON UN AMERICAN ACTIVITIES
CALIFORNIA LEGISLATURE, SENATE, February 12, 1946

Hon. C. Don Field, Chairman,
Interim Committee on Governmental Efficiency and Economy,
State Capitol, Sacramento, California

DEAR ASSEMBLYMAN FIELD: The members of the Joint Fact Finding Committee on Un American Activities in California have followed the work of your committee in its recent investigation and public hearings of the break down of law and order in the County of Los Angeles in connection with the recent jurisdictional strike conducted by Herbert K. Sorrell against the American Federation of Labor locals in particular and the Hollywood motion picture industry in general.

The members of the Joint Fact-Finding Committee on Un American Activities wish to congratulate you and your members on the courage shown by you, and each of you, during the investigation above referred to.

Those of us who have, in the past, investigated the activities of the Communist Party fully realize the difficulties attendant upon such an investigation. You and your committee may measure the effectiveness and success of your work by the tirade of invective and "smear" directed at you by the traitorous individuals and groups who have pledged their efforts to the destruction of legitimate American labor and our American liberties.

The Joint Fact-Finding Committee on Un-American Activities conducted several days of public hearings in Los Angeles early in January touching on individuals and groups who had been subjects of your inquiry. Among these were Herbert K. Sorrell and the People's Educational Center. Both Herbert K. Sorrell and the People's Educational Center had been investigated by the Joint Fact-Finding Committee on Un American Activities and the findings of the committee concerning Mr. Sorrell and the People's Educational Center were reported to the Legislature in its 1943 and 1945 Reports.

At page 162 of the committee's 1943 Report, Rena Vale, former member of the Communist Party of Los Angeles County, explaining methods of Communist penetration into American Federation of Labor unions, stated the following in a sworn affidavit:

". . . we sent directives to Don R. Healy, Secretary of Labor's Non-Partisan League of Los Angeles County, which, in turn, influenced a large bloc of votes in the C. I. O.; and through Lou Baron and the facilities of the Los Angeles County Trade Union Commission of the Communist Party, we designated the best possible means for Communist Party members within the A. F. of L. to present Communist Party program within their unions; Herb Sorrell, Business Agent for the Studio Painters' Union, was regarded as the only Communist Party comrade in an A. F. of L. Union in Los Angeles who could put over the entire 'Party line' in his union.

". . . the Unemployed Conference of Studio Unions which later became known as the 'COMPAC' was referred to by our said commission as an organization which could be 'counted on' to put over Communist Party program; said Herb Sorrell, as well as the aforementioned Frank Tuttle were active in that organization."

At page 167, Miss Vale states:

". . . at the Los Angeles County Convention of the Communist Party, held at 121 W. Eighteenth Street, Los Angeles, I encountered a number of comrades who have been mentioned previously; I recall that Herb Sorrell was doorman at the session I attended, and accepted my credentials; . . ."

The committee found the following (1943 Report—p. 95):

"Indicative of collaboration with the Communist Party and the faithful fellow-traveling of certain alleged labor leaders, is Herbert K. Sorrell, who testified in Los Angeles, July 31, 1941. . . . The committee is in possession of a photostatic copy of Sorrell's application to join the Communist Party in which he used the name *Stewart*. Sorrell denied that he had ever used such name, although under close examination, he admitted that his mother's maiden name was Daisy Frances Stewart. . . . He freely admitted that he followed the Communist Party Line when he thought it was 'all right,' although he stated that Paul Cline and Jack Moore came to him at a time when he was trying to raise the per capita tax of his union and told him that he was 'going against the Communist Party Line.' (Paul Cline and Jack Moore are admitted Communist Party functionaries in California.)

"The activities of Sorrell over a period of years is well known to the committee. He has served as A. F. of L. 'window dressing' for most of Southern California Communist front organizations, such as California Conference for Democratic Action, Labors' Non-Partisan League, Motion Picture Democratic Committee and the American Peace Mobilization. He has been a consistent subscriber to the People's Daily World. His name is carried on the letterhead of the Harry Bridges' Defense Committee. In 1940 he was the State President of Labors' Non-Partisan League. The letterhead of the Schneiderman-Darcy Defense Committee contained his name in January of 1940. In July of 1940 he appeared as an officer in the American Peace Crusade. On November 2, 1942, he headed a committee of alleged Democrats endorsing and supporting Mrs. La Rue McCormick, Communist Party candidate for State Senate from the Thirty-eighth Senatorial District. There is no doubt in the minds of the members of the committee of the close association and fellow-traveler status in the Communist Party of Herbert K. Sorrell."

The committee report for 1945 found that Herbert K. Sorrell was one of the endorsers for a "call" for a "Conference on behalf of the People's Daily World" for Wednesday, August 4, 1943 at 8 p.m., at the First Unitarian Church, located at the corner of Eighth Street and Vermont Avenue in the City of Los Angeles.

The People's Daily World, as everyone now knows, is the official organ of the Communist Party in California. The purpose of the conference was to raise funds for the continued publication of this Red Fascist journal. It may be of interest to your committee to learn that John Howard Lawson, former associate editor of the official organ of the Communist Party of the United States, the Daily Worker, Assemblyman Lester McMillan of the Sixty-first Assembly District, Leo Gallagher, a registered Communist and many times Communist candidate for public office and law partner of Charles Katz, Assemblyman Augustus Hawkins of the Sixty-second Assembly District, Carey McWilliams, Pettis Perry, former Secretary of the Communist Party of

Los Angeles County, Assemblyman William Rosenthal of the Fortieth Assembly District and Max Silver, admitted Communist functionary, were among the endorsers of the "call" for the "conference" on behalf of California's Communist propaganda sheet.

At page 142 of the committee's 1945 Report, the committee stated the following:

> "Herbert Sorrell is an officer in the Studio Painters' Union, A. F. of L. He has persistently followed the Communist Party line. He subscribed to the Communist Party publication, the People's Daily World. Leaflets distributed in July of 1940 listed Sorrell as an officer in the American Peace Crusade, Communist organization. He also appeared as an endorser for Mrs. La Rue McCormick, Communist Party candidate for State Senator, in a paid political advertisement in the Los Angeles Times, November 2, 1942."

I am attaching hereto a detailed record of the Communist activities of Herbert K. Sorrell as established by documentary evidence in the files of the committee. Your attention is particularly invited to this record.

Herbert K. Sorrell was subpenaed by the Joint Fact-Finding Committee on Un-American Activities for its January public hearing. Mr. Sorrell failed to appear.

Mr. Clark Sellers, internationally known examiner of questioned documents, testified before the committee in Los Angeles on January 4, 1946. His testimony is set forth in the committee's transcript, Volume XXV, beginning at page 467. Because of its importance to the work of your committee, I am attaching hereto a copy of Mr. Seller's testimony.

Mr. John L. Harris, also an outstanding expert on questioned documents, testified before the committee on January 4, 1946. Mr. Harris' testimony is also attached hereto.

The secret Communist Party affiliation of Herbert K. Sorrell is therefore established beyond a shadow of a reasonable doubt and his activities explained in light of current Communist Party purposes and objectives. There is no doubt in the minds of the members of the Joint Fact-Finding Committee on Un-American Activities that Herbert K. Sorrell is a member of the Communist Party and presently an important stooge and tool of Communist Party design for the destruction of American Federation of Labor unions in Hollywood and the establishment of Communist influence and domination in the motion picture industry.

The Joint Fact-Finding Committee on Un-American Activities stated its findings on the "PEOPLE'S EDUCATIONAL CENTER" at pp. 136-138 of the 1945 Report. The committee stated that the Communist character of the "People's Educational Center" was clearly revealed by the personnel of the Provisional Committee. Among these were Philip M. Connelly who joined the Communist Party in June or July of 1938 and who was attached to Unit 140 of the Communist Professional Section of the Newspaper Guild (see 1943 and 1945 Reports), Frank C. Davis, former assistant Professor at the University of California at Los Angeles (espoused the cause of Communist Sam Darcy in telegrams sent to San Francisco's District Attorney, Matthew Brady in 1939-1940 and 1941,) John Howard Lawson, (outstanding Communist Marxist and former Associate Editor of the official organ of the Communist Party of the United States, the Daily Worker), Mrs. Ruth S. Ryan, Los Angeles teacher registered as a Communist in Los Angeles in 1940, Eva Shafran, former Communist Party organizer for Los Angeles County and the moving spirit of the Communist Party's Workers' School in Los Angeles County where she taught advanced classes on Marxism-Leninism, and Albee Slade, former organizer and publicity man for the C. I. O. and recently employed by Attorney General Robert W. Kenny in organizing California's new red front, Mobilization for Democracy.

The Joint Fact-Finding Committee on Un-American Activities found that Carl Winter, formerly Secretary of the Communist Party of Los Angeles County, was a lecturer at the People's Educational Center.

The committee definitely found that the People's Educational Center ". . . is inspired and controlled by the Communists; that it is, in fact, a Communist organization for the dissemination of Marxism—part of the 'elaborate school system' of Communism mentioned by J. Edgar Hoover, Director of the Federal Bureau of Investigation." (1945 Report, p. 138.)

The Joint Fact-Finding Committee on Un American Activities subpenaed Dorothy Healey, who testified before the committee on Wednesday, January 2, 1946. Mrs. Dorothy Healey is presently the Secretary of the Communist Party of Los Angeles. She was a Young Communist League organizer under the name of Dorothy Ray. She was formerly the wife of Louis Schneiderman, brother of William Schneiderman, present secretary of the Communist Party of the State of California. She is presently the wife of Don Healey, former Chairman of the Los Angeles Branch of Labors' Non-Partisan League and formerly registered as a member of the Communist Party in the County of Los Angeles. She taught at the Tom Mooney Labor School (now the California Labor School) in San Francisco. She is currently a member of the Board of Directors of the People's Educational Center.

The People's Educational Center is part and parcel of present Communist Party technique and is designed to indoctrinate innocents with Marxism. It is interesting to note in this connection that Attorney Aubrey Grossman (who heretofore has steadfastly denied any affiliation with the Communist Party) recently announced his

affiliation with the Communist Party of California. Our committee is now in possession of a letter written on the stationery of the Communist Party of San Francisco and signed by Aubrey Grossman as "Educational Director" urging Communist members of veterans organizations to recruit returning veterans into the California Labor School at San Francisco, successor to the Tom Mooney Labor School in that city. The California Labor School has recently qualified for funds under the G. I. Bill of Rights.

Through the shrewd maneuverings of John Howard Lawson the prestige of the University of California at Los Angeles has been used to further Communist Party objectives through educational channels. The University was used for a "Writers' Congress" in 1943 and the People's Educational Center has utilized the University in its propaganda campaign.

It should be noted that the activities of Herbert K. Sorrell and his Hollywood unions is merely a continuation of Communist strategy for the destruction of American Federation of Labor unions in the motion picture industry. The threat was effectively blocked several years ago when the Communist inspired and dominated United Studio Technicians Guild went down to defeat in an election before the National Labor Relations Board. The activities of the Communists in that futile attempt to capture Hollywood and its labor organizations is detailed in reports by Jeff Kibre, Communist functionary in labor matters to his Commissar-in-Chief, Roy Hudson in New York. Your committee will undoubtedly realize that this second attempt on the part of Communist Sorrell will not be the last attempt in this direction.

It is felt that the work of your committee in investigating the break down of law and order in the recent bloody Hollywood strike will be clarified by an understanding of the Communist inspiration and direction behind the scene.

If the Joint Fact-Finding Committee on Un-American Activities can be of any assistance to you and your Committee in your courageous and patriotic work, we are at your service.

Very sincerely yours,

JACK B. TENNEY
Chairman, Joint Fact-Finding Committee on
Un-American Activities in California

F. L. GORDON
HUGH M. BURNS
NELSON S. DILWORTH
RANDAL F. DICKEY
FRED H. KRAFT
HAROLD F. SAWALLISCH
JACK THOMPSON

RECORD OF HERBERT K. SORRELL

President of Conference of Studio Unions and Strike Leader in Hollywood Strike, called March 12, 1945

Communist Activities From 1938 Up To Present Time

The following compilation is made from subject's participation in known Communist "front" organizations, and his association with known Communists, and support of the activities of such known Communists.

* * *

Motion Picture Democratic Committee
Brands Roosevelt a "War-Monger"

This organization was a proven Communist-controlled "front". It was set up in the Spring of 1938 and went out of existence about one year after the signing of the Stalin-Hitler pact on August 23, 1939.

During the lifetime of the organization it followed the Communist Party line faithfully, and when the Communist Party of the United States changed over from the "United Front," or anti-isolation, to the "imperialist war" position, to an anti-Roosevelt position and opposition to aid to England, the *Motion Picture Democratic Committee did likewise.*

The official literature of this organization will show that right up to the time of the Stalin-Hitler pact, it supported Franklin D. Roosevelt and advocated his running for a third term. It will also show that right after the announcement of the Stalin-Hitler pact, when the Communist Party line changed to isolation, it opposed Franklin D. Roosevelt and his foreign policy of aiding the allies.

Two members of the Executive Board, Melvyn Douglas and Phillip Dunne, resigned because of the Communist control of the organization.

Mr. Douglas and Mr. Dunne introduced the following proposals to the Executive Board of the Motion Picture Democratic Committee shortly after Soviet Russia

invaded Finland in December, 1939, at which time Russia and Germany were in virtual alliance:

1. "The MPDC reaffirms its support of the Roosevelt foreign policy."
2. "It commends the President for his condemnation of Russian aggression and his request that the Finnish war debt payments be reserved for Finnish use."
3. "The MPDC is in fundamental disagreement with the Communist Party and other organizations and individuals who supported the President until the Russian aggression, and have since turned on the administration with attacks."
4. "The MPDC can in no way collaborate with such organizations."

These proposals, put as a resolution, were defeated by the Executive Board by a vote of 19 to 0. (Reported in the Communist Peoples World, March 12, 1940.)

Mr. Douglas and Mr. Dunne then resigned from the organization because of its Communist character.

HERBERT K. SORRELL was a member of this Executive Board (Official Stationery), and continued actively to support the new position of the organization which was in strict conformance with the Communist Party line will be shown hereinafter under the heading of "Patterson Slate," a venture which the Motion Picture Democratic Committee supported.

Other members of the Executive Board of the Motion Picture Democratic Committee at that time were:

Harold Buchman	Edward Mussa
Al Caya	Irving Pichel
John Cromwell	Gloria Stuart
Norval Crutcher	Frank Tuttle
John Green	

One of the last acts of this MPDC, and one which showed its Communist character, was a meeting held at the Olympic Auditorium in Los Angeles on April 6, 1940, at which this organization was represented. The title of the meeting was, according to the MPDC bulletin dated March 26, 1940: "America Declares Peace."

This meeting constituted a violent attack on Franklin D. Roosevelt and the "war mongers" and was called by the Hollywood Peace Council, afterward to become the American Peace Mobilization, an organization denounced by the Attorney General of the United States as one of the most dangerous Communist organizations ever to be launched in this country.

Persons who were speakers, or present on the platform, were:

Ellis E. Patterson	Phillip N. Connelly
Reuben Borough	Dalton Trumbo
Herbert Biberman	Frank Tuttle

* * *

Hollywood Democratic Committee
(Follows Communist Party Line)

The Motion Picture Democratic Committee went out of existence during the latter period of the Stalin Hitler pact, when the Communist Party in the United States was isolationist and anti-war.

When the Communist Party line changed from isolation to pro-war because of the attack on Soviet Russia by Hitler, the Motion Picture Democratic Committee was revived under a slightly different name. This time it was called the Hollywood Democratic Committee. This committee, like its predecessor the MPDC, followed the Communist Party line. But this time it was not so apparent, because the line now called for all-out support of the war, because of the need for assistance by Soviet Russia.

We now find a very "patriotic" organization, hailing Franklin D. Roosevelt as the great Commander-in-Chief instead of a war-monger and trickster leading the Country into an unpopular war and betraying the Country into the net of Wall Street, as the Motion Picture Democratic Committee had claimed when Stalin and Hitler were allies.

Herbert K. Sorrell now emerges as a member of the executive board of this organization also, whose program is just the reverse of its predecessor where he was also a member of the executive board.

However, the Hollywood Democratic Committee has also now gone out of existence. On May 24, 1945, there was advance notice that the Communist Party line in the United States would again undergo a change. This notice was in the form of a letter from a leading French Communist, Jacques Duclos. This letter was published everywhere in the official Communist press, and it constituted a criticism of the past "line" and demanded a change back to the program of Marx and Lenin which had been abandoned during the war.

On June 6, 1945, the Hollywood Democratic Committee became the Hollywood Independent Citizens Committee of the Arts, Sciences and Professions.

The names of those persons of the recently dissolved Hollywood Democratic Committee are:

John Cromwell	Frank Tuttle
Norval Crutcher	E. Y. Harburg
John Green	Edward Dmytryk
Irving Pichel	Ira Gershwin
Gloria Stuart	Rev. Clayton Russell

All the above are members of the Executive Board of the Hollywood Democratic Committee. (Official literature of organization.)

* * *

Labor's Non-Partisan League

"Yanks are not coming" to fight Stalin-Hitler.

This Communist-controlled organization came into existence before the war started. Up until the Stalin-Hitler pact, it supported President Roosevelt and the New Deal, supported the United Front against Hitler and was for "collective security" against Nazism.

But when the Stalin-Hitler pact was made and the Communist Party changed from anti-Hitlerism to isolation, the Labor's Non-Partisan League changed also, opposed our entry into the war, opposed aid to England and adopted the slogan "The Yanks Are Not Coming".

Herbert K. Sorrell was State President of the organization during this latter period, opposed the third term for President Roosevelt and Sorrell denounced him as leading us into war. (PW, May 2, 1940.)

Regarding the Communist character of Labor's Non-Partisan League, Vierling Kersey, Superintendent of Los Angeles Schools, stated through the public press that:

> "In 1938, Superintendent Kersey said, he requested an opinion of County Counsel J. H. O'Connor on the right of California Labor's Non-Partisan League to use school facilities as a meeting place under the so-called California Civic Center Law . . . O'Connor ruled at that time that the California Labor's Non-Partisan League was "affiliated with the Communist Party."—Los Angeles Examiner, September 7, 1944.

Patterson Slate

Democrats Opposed to Franklin D. Roosevelt for Third Term Preferred Communist Line

In the California primary election held on May 7, 1940, there was placed before the voters a slate of delegates to the National Democratic Convention, at which Franklin D. Roosevelt was nominated for the third term. This slate of delegates was called the "Patterson Slate," was headed by Ellis E. Patterson, now Congressman from the Sixteenth Congressional District.

This slate of delegates was opposed to the third term for Mr. Roosevelt, opposed aid to England and was strictly isolationist. It followed the Communist Party line, was in sympathy with the aims of that party, as the records of the great majority of the delegates will show. The principal plank in the platform was:

"No Men—No Arms—No Loans to Foreign Powers. Stop Intrigue Leading Us Into War. (Remember 1916)"

"He Kept Us Out of War"??? (In 1940—We Must Keep Ourselves Out of War.)"

Herbert K. Sorrell was one of the candidates on this delegation.

Other candidates for membership on this Communist Party line delegation were:

Carey McWilliams	Reuben Borough
Phillip M. Connelly	(Chairman of the Ticket)
	Frank Scully

—Official Campaign Literature

* * *

Workers Alliance

This organization was listed by the Attorney General of the United States as a completely Communist-controlled organization of the unemployed.

Herbert K. Sorrell was one of the speakers at a mass demonstration of this organization before the Hollywood District SRA headquarters, 245 South Western Avenue on March 7, 1940.

At this demonstration the first Hollywood local of the Workers Alliance was set up.

Mr. Sorrell spoke as representative of the Motion Picture Democratic Committee, mentioned heretofore.

Other speakers at this demonstration were:

> La Rue McCormick, member of the Communist Party State Central Committee.
> Emil Freed, Fifteenth Congressional District Branch of the Communist Party.
> Joe Wilson, employee of the Communist Peoples World.

Dorothy Ray, a Communist, representing Labor's Non-Partisan League, mentioned heretofore.
Frank Scully, screen writer.

—Peoples World, March 8, 1940
Official Records of Secretary of State of California on McCormick

* * *

National Federation for Constitutional Liberties
(Southern California Branch)

The Attorney General of the United States has pronounced this organization to be Communist "front."

On September 27-28, 1941, a meeting of this organization was held in San Francisco, California.

Herbert K. Sorrell, in the official announcement of the meeting, appears as one of the sponsors of the organization. This organization has followed every twist and turn in the Communist Party line for years and is still in operation.

Others whose names appear on the announcement are:

Carey McWilliams, National Vice Chairman
Abraham Isserman, National Vice Chairman
Charlotta A. Bass
Phillip M. Connelly
E. Y. (Yip) Harburg
Fred Rinaldo
Clore Warne

—Official Literature of Organization

* * *

Yanks Are Not Coming Committee
To Induce Students to "Peace Strike"

A demonstration under the auspices of the above "Committee" in cooperation with the American Student Union, a Communist-controlled group, was held at the University of California at Los Angeles, on April 18, 1940. The purpose of the meeting was to induce the students at the college to stage a "peace strike" (this was during the period of the Stalin-Hitler pact).

Herbert K. Sorrell was listed as one of the speakers.

The other speakers were:
Carey McWilliams
Dr. E. P. Ryland, American Civil Liberties Union.

—Peoples World, April 19, 1940

* * *

Schneiderman-Darcy Defense Committee

William Schneiderman and Samuel Darcy were two top officials of the Communist Party of the United States in 1940 were up for deportation by the immigration authorities of the United States Government. A committee to defeat their deportation was set up.

Herbert K. Sorrell was a member of this committee.

Known Communists on the committee were:
Leo Gallagher, chairman of the committee and member of the law firm of Katz, Gallagher and Margolis.
Anita Whitney, State Chairman of the Communist Party of California.
Celeste Strack, Executive Secretary of the committee.
Theodore Dreiser, now deceased, member of the Communist Party.
Other members of this committee were: Carey McWilliams, Ben Margolis, Ernest Dawson.

In a letter written by the Secretary of the committee dated April 22, 1940, the following paragraph appears:

"The Schneiderman-Darcy Defense Committee which includes such California Labor leaders as Henry F. McGrath, Roy Donnelly and Herb Sorrell and such prominent individuals as Carey McWilliams and Theodore Dreiser, is engaged in rallying public opinion to demand that the federal authorities drop these two cases immediately."

—Official letterhead of the Committee. (Photostat)

* * *

Earl Browder (Felon)

At the Sixteenth General Assembly of the Brotherhood of Painters, Decorators and Paperhangers of America, held at Columbus, Ohio, September 23, 1941, one hundred (100) officers and delegates signed a petition demanding the immediate release of Earl Browder, head of the Communist Party of the United States, from the Atlanta

penitentiary where he was serving a term for a felony. The demand was forwarded to President Roosevelt.

Herbert K. Sorrell, who was a delegate from his Hollywood Local 644, signed the petition.

—Peoples World, Sept. 24, 1941

* * *

United Spanish Aid Committee

This Communist front organization was operating under the above title in July, 1941.

It is now known as the Joint Anti-Fascist Refugee Committee with a branch in Hollywood.

The purpose of the Committee was to furnish aid to the Communists who took part in the Spanish Civil War in 1936-38.

Herbert K. Sorrell was one of the sponsors of the West Coast branch of the organization.

Others listed as sponsors of the United States Spanish Aid Committee were:

Prof. Frank C. Davis, U.C.L.A.
Ellis E. Patterson (Congressman)
Judge Stanley Moffatt
Carey McWilliams
John Garfield
Dorothy Parker
Irving Pichel
Dr. F. L. Pottenger
Herman Shumlin
Frank Tuttle
John Wexley

—From Official Letterhead of Organization

* * *

Leo Gallagher Testimonial

"To Defend the Rights of the Communist Party"

A testimonial banquet in honor of Leo Gallagher, a Communist, of the law firm of Katz, Gallagher and Margolis, was given at the Wilshire Bowl in Los Angeles on June 2, 1941.

Gallagher has long been known for his defense of Communists and their cause and this testimony was given in recognition of his services in this respect. This affair was given on June 2, 1941, when Soviet Russia had not yet been attacked by Hitler; the Communist Party line was still opposed to entry into the war and to any help to the Allies in their fight against Hitler.

Quoting the Peoples World of June 4, 1941:

> "Reminding of the forces trying to inject the United States into the tragic struggle of the imperialist war, Gallagher said: "In these days it is necessary for all of us to take our place and recognize our responsibility to defend and protect the civil liberties of all wherever they may be attacked. * * * At the present time the windmills of hysteria are directed mainly against the Communist Party and it is our duty then * * * regardless of our political opinions * * * defend the rights of the Communist Party."

Herbert K. Sorrell was one of the sponsors of this testimonial.

Others who sponsored this Communist testimonial are:

Augustus Hawkins (Assemblyman)
Judge Stanley Moffatt
Carey McWilliams
Ernest Dawson
A. Maymudes
Clore Warne
Phillip M. Connelly
Reuben Borough
Charles Katz

—Los Angeles Times, May 25, 1941

Charles Katz, of the law firm of Katz, Gallagher and Margolis, was toastmaster of the evening.

The following persons gave testimonials to Gallagher:

Anita Whitney, State Chairman of the Communist Party.
Reuben Borough
Phillip M. Connelly
Judge Stanley Moffatt
Theodore Dreiser, member of the Communist Party.
Sam Ornitz, screen writer
Herbert Biberman, Hollywood director.

—Peoples World, June 4, 1941

* * *

Harry Bridges Defense

To Defeat Deportation

In September of 1942, the National Federation for Constitutional Liberties, an organization branded by the Attorney General of the United States as a Communist-

controlled "front," launched a campaign to defeat the deportation of Harry Bridges on the grounds that he was an alien Communist.

This organization issued an "open letter" addressed to the President of the United States protesting the deportation proceedings and demanding that they be dropped.

Herbert K. Sorrell was one of the signers of this letter.

Others who signed this letter were:

Dr. Frank C. Davis, U.C.L.A.
Carey McWilliams
Ernest Dawson
Abraham Isserman
Dalton Trumbo
Earl Robinson

—Official list of signers.

* * *

La Rue McCormick, Communist
Candidate for State Senator

In the November, 1942 election, La Rue McCormick, a known Communist, and an officer of the Communist Party and the Communist Political Association, was a candidate for the office of State Senator of California.

To support the campaign of the Communist, La Rue McCormick, a committee was set up. It was called "Democrats for McCormick".

Herbert K. Sorrell was the chairman of this committee.

—Display advertising in Los Angeles Daily News, Nov. 2, 1942

Others listed as supporting this Communist for office were:

John Howard Lawson, screen writer
Dalton Trumbo, screen writer
Rev. Clayton Russell
Charlotta Bass
Al S. Waxman

—Daily News, Nov. 2, 1942

Others listed in the Peoples World, Communist publication, of October 31, 1942, as supporters of the McCormick campaign, were:

Ellis E. Patterson, Congressman, Sixteenth District
Paul Jarrico, screen writer
Viola Brothers Shore, screen writer
John Bright, screen writer
Lester Cole, screen writer
Leo Gallagher (Katz, Gallagher & Margolis)
Richard Collins, screen writer
Jay Gorney, Hollywood song writer
Henry Myers, Hollywood song writer
A. Maymudes

—Peoples World, October 31, 1942

* * *

American Youth for Democracy
(Formerly the Young Communist League)

On October 17, 1943, the Young Communists League held its National Convention in New York City. At this convention the name was changed from Young Communist League to American Youth For Democracy. This was done for tactical reasons, and was so stated.

—New York Times, October 18, 1943

On December 1, 1944, this American Youth For Democracy of the Los Angeles area, held a meeting and a celebration of the first anniversary of the change of name at the Roosevelt Hotel in Hollywood.

Herbert K. Sorrell was one of the sponsors of this gathering.

Others who sponsored this organization were:

Ellis E. Patterson, Congressman, Sixteenth District
Ned R. Healy, Congressman
Dalton Trumbo
Dr. Frank C. Davis
Dr. Franklin Fearing
Augustus C. Hawkins, Assemblyman
Rev. Clayton D. Russell
Edward Dmytryk
Mrs. John Garfield
Thomas Mann
Earl Robinson
Frank Scully
Reuben Borough
Phillip M. Connelly
George Bradley
Dr. Ernest Caldecott
Judge Stanley Moffatt
John Howard Lawson
Ernest Dawson
Peter M. Kahn
Ring Lardner, Jr.
Albert Maltz
A. Maymudes
Samuel Ornitz
Al S. Waxman
Alvin Wilder
Charlotta A. Bass

—Peoples World, December 1, 1944

The Peoples World of December 5, 1944, adds the following to this meeting:

Albert Dekker, Assemblyman from Hollywood District acted as master of ceremonies.

Ellis E. Patterson and Ned R. Healy, Congressmen from the Sixteenth and Thirteenth Districts, respectively, were honored guests.

Reuben Borough welcomed the guests and "spoke of the pride of the sponsoring committee in the growth of the AYD in its first year."

Speakers were:

Albee Slade, CIO Council
Willis J. Hill, Carpenters Local 634
Rex Ingram, Negro actor
Barney Ross, former lightweight champion
Rev. J. Raymond Henderson, Pastor, Second Baptist Church (colored)
Dalton Trumbo, screen writer

* * *

Peoples World Press Conference

The Peoples World is the Communist publication on the Pacific West Coast and is published in San Francisco at 590 Folsom Street.

On August 4, 1943, a "press conference" was held for the benefit of this publication at the First Unitarian Church, 2936 West Eighth Street, Los Angeles, California (Rev. Ernest Caldecott, pastor).

The Peoples World lays down the Communist Party line and is the political guide for all Communists on the West Coast.

Herbert K. Sorrell was one of the sponsors of this conference.

Not only was Sorrell a sponsor in this case, but he has consistently upheld this publication over a period of years as a subscriber and by public statement.

In the Peoples World dated July 24, 1944, the following statements appear:

"The Daily Peoples World leads the daily newspaper field in understanding the contribution of industry and labor in Hollywood to America's war effort."

"That's the statement of two prominent Hollywood leaders—Screen Writer John Howard Lawson and Herbert Sorrell, President of the Conference of Studio Unions."

"Both Sorrell and Lawson are supporting the current $75,000 Victory Expansion Drive of the Daily Peoples World."

Others sponsoring this "conference" mentioned above were:

Augustus C. Hawkins, Assemblyman
John Howard Lawson, screen writer
Leo Gallagher (Katz, Gallagher & Margolis)
Rev. Clayton Russell
Carey McWilliams
Charlotta Bass
Ernest Dawson
Lester McMillan, Assemblyman
William Rosenthal, Assemblyman
Al Waxman
Theodore Dreiser
R. Lal Singh

Third Annual Convention Los Angeles County Communist Party

April 29, 30 and May 1, 1938.

Held at 121 W. 18th Street, Los Angeles, California.

Herbert K. Sorrell has denied that he was ever a member of the Communist Party.

A photostatic copy of the minutes of the above Communist convention shows the following names written on the back page:

William Schneiderman, State Secretary of Communist Party, District 13.

Don Healy	Herb Sorrell
Hugh Wilkins	Urchel Daniels

When shown this document at a hearing of the Joint Fact-Finding Committee of the State of California on August 31, 1941, Mr. Sorrell denied, under oath, that he had been a delegate to this Communist Convention.

He stated that he had given someone permission, he couldn't remember whom, to put his name on some committee and that he thought this might account for his name being on this copy of the minutes of this Communist Convention.

Sorrell stated that he had never attended any Communist Party convention, "not knowingly . . . I might have, and not known what it was . . ."

The above Fact-Finding Committee has in its possession a sworn affidavit made by a former Communist Party functionary and a delegate to this Communist convention in which the following appears:

"I recall that Herb Sorrell was doorman at the session I attended, and accepted my credentials; that the membership of the Communist Party was estimated at around 3000 at that time; that plans were discussed for developing a more efficient political pressure machine, on which subject Paul Cline spoke."

He admitted he had conferred with Jack Moore and Paul Cline, officers of the Communist Party, in the offices of his union, Local 644, Painters.

—Report of Joint Fact-Finding Committee on Un-American Activities, 1943, p. 167.

CLARK SELLERS—

Testimony before Joint Fact-Finding Committee on Un-American Activities in California, January 4th, 1946, Los Angeles, California.
(Volume XXV, pp. 467-479.)

Chairman Tenney: Mr. Sellers, will you state your full name for the Committee?
The Witness: Clark Sellers.
Chairman Tenney: And your residence address?
The Witness: 887 El Campo Drive, Pasadena, California.
Chairman Tenney: Your business or occupation?
The Witness: I am an Examiner of Questioned Documents.
Chairman Tenney: Do you have an office address?
The Witness: Yes; 1100-01 Rowan Building, 458 South Spring Street, Los Angeles.
Chairman Tenney: All right, Mr. Combs.
By Mr. Combs:
Q. Mr. Sellers, how long have you been engaged in your present profession?
A. I have been examining documents for more than 25 years; and I have been a student of the subject for more than 30 years.
Q. You were employed in connection with the Lindbergh-Hauptmann kidnaping case, were you not?
A. Yes. I was employed by the Attorney General of New Jersey to examine the documents in that case and advise him as to whether or not, in my opinion, Hauptmann wrote the ransom letters to Col. Lindbergh.
Q. And you did so, did you?
A. Yes; and I was called as a witness to testify in that case.
Q. You were also employed in connection with the Hickman case, were you not?
A. Yes.
Q. The Hickman kidnap and murder case that occurred in Los Angeles County?
A. Yes.
Q. Now, Mr. Sellers, at your office do you also have a laboratory?
A. Yes.
Q. Just in general terms, Mr. Sellers, of what does your equipment consist?
A. My laboratory equipment consists of microscopes, cameras, lenses, measuring instruments, ultra violet light, infra red ray equipment, specimens of paper and handwriting, special measuring instruments of precision, and other equipment that might be of value to me in examining documents.
Q. What do you mean when you use the term "questioned documents"?
A. I mean by questioned documents a document about which there is some question as to its authenticity. That question may be as to the identity of the handwriting, or as to typewriting, inks, or other problems that arise about the authenticity of a document.
Q. Over what period has your experience extended?
A. I have received documents for examination for more than 25 years, and from Canada and Mexico, and I have examined the questioned document problem in England.
Q. You have had practical experience have you, in examining questioned documents?
A. Yes; I have examined several thousand documents.
Q. And you have written articles for various technical journals on the side, have you?
A. I have.
Q. And you have testified in the State and Federal Courts on the subject?
A. Yes.
Q. Now, Mr. Sellers, were some questioned documents submitted to you by this Committee?
A. Yes.
Q. Do you have them with you?
A. Yes.
Q. Will you produce them please?
A. Yes (handing documents to Mr. Combs).
Q. Now, Mr. Sellers, I show you a photostatic copy of a document which reads, "Control Card, First Half of 1937, Book No. 74282; Name—Herbert Stewart; State

of California, County L.A., City L.A., District 13; Section—Industrial; Unit—Studio No. 2; occupation—painter, Union Painters 644; Mass organization_____; male—(in pencil) yes; female—_____; age—41; white—yes; foreign-born_____; dues paid up to and including the month of _____.

Was that one of the questioned documents submitted to you?

A. Yes.

Q. The other one is numbered No. 60622 and it reads as follows:

"I have received membership book. (Signed) Herb Stewart," in ink; "State—Cal; District 13; County—L.A., City—L.A.; Section Ind.; Unit—Studio; date 2-12-37" with this printed matter at the bottom: "Be sure to sign and return to the Membership Director."

Was that the other questioned document that was submitted to you?

A. Yes.

Q. Now, Mr. Sellers, in order to determine the fact as to whether or not the same person wrote two documents, is it or is it not a part of your technique to procure exemplars of the handwriting of the individual who purported to write the questioned documents and make an analysis of those examples and compare them with the signatures and writings on the questioned documents?

A. It is.

Q. Were some documents which purported to be such exemplars submitted to you for analysis?

A. Yes.

Q. Do you have them with you?

A. Yes.

Q. May I see them?

A. Yes (handing documents to Mr. Combs).

Q. One is a card which reads as follows: "R.E.S. Charleston 6-1687; Office Drexel 8354; Hillside 7997." Written in pencil on the card is: "Hello Ben." Then the printing continues: "Herb Sorrell, business representative Moving Picture Painter's Local 644, 4157 W. 5th Street, Los Angeles."

Was that one of them?

A. Yes.

Q. The other one is an attendance card, Central Labor Council; name—Herb Sorrell; address—4157 West 5th Street; city—L.A.; union—Moving Picture Painters 644; date—November 5, 1945; if change of address give old address here_____" And blank for telephone number.

Was that another example submitted to you?

A. Yes.

Q. Then I show you two letters, the first one being on stationery of the Hotel Statler, Buffalo, New York, dated September 9, 1937. It is in ink handwriting. It starts out with the words, "Dear Victor" and concludes with the words, "Sincerely, Herb," and ask you if that is another of the exemplars?

A. It is.

Q. I show you a letter written on the stationery of Metro-Goldwyn-Mayer Studios, Culver City, March 24, 1938, and on the bottom of the letter—the letter is in typewriting—is some matter in ink handwriting, signed "Herb Sorrell," and ask you if that is another of the exemplars submitted to you?

A. Yes, it is. The three lines of writing at the bottom of said letter and the name Herb Sorrell.

Q. Now, I show you what purports to be a photostatic copy of a 1938 registration blank and ask you whether or not that was submitted to you as an examplar or as a questioned document?

A. This was submitted as a questioned document.

Q. It reads as follows: "1938 registration blank. Please write in ink. Section—industrial. Unit—Studio No. 2. Branch_____. Real name—Herbert K. Sorrell Party name—Herb Stewart. Correct address—137 North Verdugo Avenue, Burbank. Year joined—1938. Book No. 1937—lost. 1938 60622. Nationality—American. Country of birth—U.S.A. Age—42. Male (is checked). White (is checked). Present occupation—studio painter."

After "employed" is written the word "yes". "Place of employment—4157 West 5th Street. No. of workers in shop—3. What union—M.P.P. Local 644. Functionary in union—business agent. What unemp. mass org._____. Other mass organizations—none. What function_____. Veteran_____. What veteran's organization_____. What function in party_____. Full time_____. Section_____. Br. unit_____. Party Schooling— after the word "county"—"trade union school". State_____. National_____. Workers school_____. How many children—2 and two grand. What are their ages: 23, 19, 2—1 mo."

Was that submitted to you as an exemplar?

A. No. This was submitted for me to determine, if I could, whether or not it was written by Mr. Sorrell.

Q. In other words, that was a questioned document?

A. Yes.

Q. In addition to the other two?

A. Yes.

Q. Were those all of the questioned documents submitted to you, three, or was there another one?

Chairman Tenney: What about the Voter's Registration?

The Witness: Those are the only questioned documents.

Mr. Combs: Q. Now, I show you a portion of a voting registration blank with the signature and handwriting on it, "Herbert K. Sorrell, 1153 Norton Avenue, Glendale," and ask you if that was submitted to you as an exemplar?

A. Yes. This was submitted as an exemplar of the signature of Herbert K. Sorrell.

Senator Gordon: What is meant by exemplar?

Chairman Tenney: It is an example of handwriting, Senator. Is that correct, Mr. Sellers?

The Witness: Yes. It is a speciman of writing submitted to me as being the genuine handwriting of Mr. Sorrell.

Mr. Combs: Q. I show you a photostatic copy of a jurat submitted and sworn to before a Notary Public on which appears the signature Herbert K. Sorrell, and ask you if that was submitted to you as an exemplar?

A. Yes.

Q. I show you a bottom portion of a Voter's Registration Certificate dated 6-Jan. 36, W. M. Kerr, Registrar of Voters which bears the signature Herbert K. Sorrell, and ask you if that was submitted to you as an exemplar?

A. Yes.

Chairman Tenney: Was that an exemplar?

Mr. Combs: Yes, Mr. Chairman, an exemplar.

Q. I show you a similar portion of the same sort of a registration blank, dated 1932, with the same purported signature on it, and ask you if that was submitted to you as an exemplar?

A. Yes.

Q. I show you a similar one for the year 1930 and ask you if that was submitted to you as an exemplar?

A. Yes.

Q. Were those all of the exemplars submitted to you?

A. Yes.

Q. Now, Mr. Sellers, did you make any effort to determine whether or not the same person who wrote the exemplars, or was alleged to have done so, also wrote the questioned documents?

A. Yes.

Q. Will you describe briefly the technique you use in order to arrive at a conclusion?

A. I had these documents in my office and laboratory and I examined them under various magnifications and made a careful comparison between the exemplars first to determine what the handwriting characteristics of Herbert Sorrell are, the extent and scope of his variations, his handwriting ability, and in general the identifying characteristics in his writing. I then made a careful comparison between those exemplars and the questioned documents that have been here described for the purpose of determining if I could whether or not Mr. Sorrell wrote any of the questioned documents or any part of them.

Q. I show you now a large photostatic sheet on which appear several signatures in writing and ask you what they purport to be?

A. I did not make this photograph.

Q. Do you know who did?

A. Yes; John L. Harris.

Q. He is the gentleman with whom I had a conference in your presence yesterday?

A. Yes. He is an Examiner of Questioned Documents.

Q. Did you notice similar characteristics between the exemplars and the questioned documents?

A. Yes.

Q. You arrived at a positive opinion, did you, as to the identity of the person who wrote the exemplars and the questioned documents?

A. Part of them, yes.

Q. Whether or not the same person wrote the exemplars and the questioned documents?

A. Yes, as to part of them, that is correct.

Q. What do you mean by part of them?

A. My opinion is that some of the questioned documents were not written by the same writer who wrote other parts of the questioned documents.

Q. Will you indicate what those were, please?

A. This document that begins "1938 Registration Blank" that is filled in beginning with the words, "Industrial Studio No. 2" and so on, I could not identify Mr. Sorrell as having written the writing on that document.

Q. In other words, this document is a printed form, is it not?

A. Yes.

Q. It contains a number of blanks which were filled in in handwriting?

A. Yes.

Q. After the words "real name" was that written in ink or in pencil?
A. Apparently in pencil.
Q. Is it your opinion that a different person wrote that name than the person who filled in the blanks in the rest of the form?
A. No, I would not say so. I am saying that I was unable to identify Mr. Sorrell as having written any part of this particular document. Most of that is hand-printed and I have not examined any of his hand-printing. But in any event I was not able to identify him as having written any part of that particular document.
Q. Now, we will take the document, "Control Card, First Half of 1937." What was your conclusion with regard to that?
A. My conclusion with regard to that is that the person who wrote the exemplars which were submitted to me as being the genuine handwriting of Herbert K. Sorrell wrote the name Herb Stewart on this card which begins "Control Card First Half 1937, Book No. 74282." Also, the same writer, in my opinion, wrote the word "Calif." following the word "State", and wrote the letters "L.A." following the word "City." I could not identify him as having written the numeral 13 following the word "District"—and the person who wrote the exemplars wrote the word "Industrial" following the word "Section," and wrote the word "painter" following the word "occupation," and wrote the word "Painter's 644" following the word "Union," and the word "yes" following the word "male" and the numeral "41" following the word "age" and the word "yes" following the word "white".
Q. Now, will you take the other questioned document which bears the number 60622, membership book; what was your conclusion with regard to that?
A. It is my conclusion that the person who wrote the exemplars submitted to me as being the genuine handwriting of Herbert K. Sorrell wrote the name "Herb Stewart". Immediately above the printed word signature on this document is the number in printing 60622, and below that number are the words, "I have received membership book." Then below the signature Herb Stewart there is some other handwriting that I was not able to identify as having been written by writer of the exemplars. It is my opinion that that writing was written by the same writer who wrote the handwriting on the card which begins in printing, "1938 Registration Blank".
Mr. Combs: I think that is all, Mr. Sellers.
Chairman Tenney: Any questions from the members of the Committee? That is all, Mr. Sellers. Thank you.

JOHN L. HARRIS—

Testimony before Joint Fact-Finding Committee on Un-American Activities in California, January 4, 1946, Los Angeles, California. (Volume XXV, pp. 480-488)

Chairman Tenney: What is your full name, Mr. Harris?
The Witness: John L. Harris.
Chairman Tenney: What is your residence address?
The Witness: My residence is 2264 East Glen Oaks Boulevard, Glendale.
Chairman Tenney: And your occupation?
The Witness: Examiner of questioned documents.
Chairman Tenney: Do you have an office address?
The Witness: My office address is 453 South Spring, Los Angeles.
By Mr. Combs:
Q. Mr. Harris, how long have you been engaged in the work of examining questioned documents?
A. I have been engaged in this work since about 1917.
Q. Continuously?
A. No, I have specialized in it continuously since 1925.
Q. I see.
A. I have been in Los Angeles about ten years.
Q. Do you devote full time to this work?
A. Yes, I devote all of my time to that work.
Q. How did you prepare yourself to qualify as an examiner of questioned documents?
A. Well, largely through research work. I have done extensive research work on paper, ink, tyepwriting, handwriting, and subjects relating to documents.
Q. In what courts are you qualified to act as an expert in the field of questioned documents?
A. Well, I have testified and qualified in Municipal Court, the Superior Courts, the Federal Courts, the Military Courts.
Q. Have you been appointed by any judge or judges in Los Angeles County as an expert to examine questioned documents?
A. Yes, I have, on numerous occasions.
Q. I show you a photostatic copy of a document entitled "1938 Registration Blank," and ask you if you have ever seen that before?
A. Yes, I have. I would say, however, that this is a photo and not a photostat.
Q. Did you take that photo?
A. Yes, I did.
Q. And of course you had the original document in your possession at the time?
A. Yes, I did.

Q. I hand you a photo of two documents, the one being entitled "Control Card First Half of 1937, Book No. 74282," the other being numbered "60622," and ask you whether or not you have seen those before?

A. Yes, I have these two documents in my possession, and I made this photo.

Q. When did you make that photo?

A. In June, 1945, along about, I would say, June 11th, or shortly thereafter.

Q. And did you make the one of the 1938 registration blank about the same time?

A. I did, yes.

Q. I now show you what purports to be a portion of a Voter's Registration Blank, bearing date 6 January, 1936, and ask you if you took this photograph and if so on what date?

A. Yes. I took this photograph—I couldn't say just exactly what date.

Q. About how long ago?

A. It was some time after June 11th, probably some time in July, I made this photo from the records in the county clerk's office.

Q. I hand you a photo of a portion of a Voter's Registration Blank, bearing date—it looks like the seventh day of December, 1941, and ask you if you took that photo, and if so, about what date?

A. Yes, I took this photo in the clerk's office some time about the middle of June, 1945.

Q. I hand you a portion of a Voter's Registration Blank, bearing date June 30, and ask you if you took that photograph, and if so at about what date?

A. Yes, I made this photograph from records in the clerk's office some time following the middle of June, 1945. I might say the reason all of this signature is not perfect, does not appear on here, is because the record itself was in a huge volume of other certificates, and it was not possible to take them apart and photograph all that name.

Q. I now show you a portion of a Voter's Registration Blank, bearing date January 19, 1932, and ask you if you took that photograph, and if so when?

A. Yes, I took this photograph of document in the clerk's records some time following the middle of June, 1945.

Q. I now show you what is apparently a jurat, executed in the State of California, County of Los Angeles, by Herbert K. Sorrell, on the 8th day of May, 1945, before Gladys E. Binney, Notary Public in and for said County and State, and ask you whether or not you photographed the original on this document, and if so when?

A. Yes, I photographed this document, which was a photostat of the original when it was brought to my office, and I made this document some time after the 15th of June, 1945.

Q. I show you a photograph of a portion of a signature in ink—the letters which appear in this photograph are STEW, and ask you whether or not you took this photograph, and if so when?

A. Yes, I took this photograph on or about the 15th of June, 1945.

Q. Calling your attention, Mr. Harris, to the second letter in that signature, the "t", there is apparently what appears to be a circle or a loop in the lower left portion of the stem of the "t". Are you able to testify what that represents, or what happened when that portion of the letter was being written?

A. Yes.

Q. Will you do so, please?

A. I would say that the writer first wrote the "S", the capital "S", and then the letter "o", after which there was the beginning of the "t" and then the downstroke on the "t"—in other words, the capital "S" first, "o" second, and then "t" third.

Q. And the "t" was written right over the top of the "o", was it?

A. Over the top of the "o", yes.

Q. I now show you a large photograph containing six purported signatures of Herbert K. Sorrell, and I ask you whether or not you took these photographs, and if so when?

A. Yes, I made these photographs for study purposes. I would say that this is a photograph of the photographs. The signatures are cut out, and I made this enlargement of those signatures for study purposes. That was made some time after June 13, 1945.

Q. I now show you the last of this series of photographs. The first one is entitled "Control Card, first half of 1937, Book No. 74282," and ask you if you took that photograph?

A. Yes, I did. This is an enlargement of the original. In other words, the original document was not this size. I have enlarged it for study purposes.

Q. I now show you a 1937 membership book in the Communist Party of the United States of America; it bears a number, has the Seal of the Party, and the signature of William Schneiderman. It has already been introduced in evidence and has been identified by another witness. I ask you to compare the photograph I have just handed you with the perforated page in the front of this book, and ask you whether or not the original of the photograph which you have in front of you is the same in appearance as the perforated part which appears in the front of that book?

A. Yes, I would say it is, and approximately the same size. That is the original of this document that I photographed.

Q. That is right?

A. That is what I am referring to.

Q. When did you make that photograph?
A. On or about the 15th of June, 1945.
Q. I now show you a photograph bearing the number 60622, starting with the words "I have received Membership Book", and ask you if you took that photograph, and if so when?
A. Yes, I took this photograph on or about June 15, 1945, and this is also an enlargement of the original.
Q. I now call your attention to a perforated page in the back of the 1937 Communist Party book, which I have heretofore exhibited to you, and ask you whether or not the original which you photographed of No. 60622 was about the same in size and appearance as this perforated card in the Communist Party membership book which I now hand you?
A. Well, I would say it was of approximately the same size, but that the printing is reversed.
Q. I see.
A. In this book, compared to the photograph.
Q. Yes. Mr. Harris, I hand you now a letter which is written on the stationery of the Hotel Statler, Buffalo, New York, dated September 9, 1937, addressed to "Dear Victor" and signed "Sincerely, Herb," the letter being entirely written in ink and in handwriting, and ask you whether or not you have examined that letter before?
A. Yes, I have examined this letter, particularly the handwriting.
Q. I hand you also a letter on the stationery of Metro-Goldwyn-Mayer Pictures, under date of March 21, 1938, and call your attention to the written matter and handwriting in ink at the bottom of the sheet, and ask you if you have examined that before.
A. Yes I have examined this document, and particularly the three lines of writing and the signature "Herbert Sorrell" at the bottom of this letter.
Q. I hand you what purports to be a business card of Herb Sorrell, and it has some written material on it, and ask you if you have examined that before?
A. Yes, I have.
Q. I hand you a card entitled "Attendance Card Central Labor Council" with some written material on it, and ask you if you have examined that before?
A. Yes, I have.
Q. Those, in your profession, are termed exemplars, are they not?
A. They are.
Q. And the two photostatic documents, that is, the Control Card and the receipt for the membership book, are what you term questioned documents?
A. Yes.
Q. Did you examine each and all of the exemplars to which I have directed your attention?
A. Yes, I did.
Q. For the purpose of determining whether or not the person who wrote the material on the exemplars was the same person who wrote the material which appears on the two questioned documents?
A. Yes, that was the purpose of my examination.
Q. What was your conclusion?
A. My conclusion was that the signature "Herbert Stewart." Is this Exhibit 3?
Q. That is right.
A. . . . . on Exhibit 3, and all of the pencil writing—this document doesn't have a number.
Q. All of the pencil writing on the document, which states "Control Card first half 1937"?
A. Yes, with the possible exception of the "1" and the "3" opposite the printed word "District". It is my conclusion and my opinion that all of that writing was written by the same person who wrote these exemplars identified to me as the genuine handwriting of Herbert Sorrell. That is, excusing on this Exhibit 3 the writing beneath the signature.
Q. Yes.
Mr. Combs: That is all.
Chairman Tenney: Thank you very much, Mr. Harris. You may be excused.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, February 19, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Senate Resolution No. 48

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

Above reported resolution ordered to third reading.

RESOLUTIONS

The following resolution was offered by Senator Hulse:

Senate Resolution No. 49

Relative to the Senate Committee on State and Local Taxation and further defining the powers and duties of the committee

WHEREAS, One of the purposes for which the Legislature has been convened is the consideration of legislation relating to the acquisition of land in this State by the United States of America, a subject which has many aspects and involves varied and varying State, Federal, and local governmental relationships, including the bearing and effect of such Federal acquisition, ownership, and jurisdiction upon taxes levied or leviable by the State and by local governmental units within the State, and well may involve both Federal and State legislation, as to which presently available information is incomplete; and

WHEREAS, It is desirable that the Senate, through a committee of its members, make a study of all aspects of this subject to the end that a solution may be found and suitable legislation be prepared for consideration and enactment, a study which doubtless will require conferences with Federal agencies and officials and with officials of various of the other States; now, therefore, be it

Resolved by the Senate of the State of California, as follows:

1. In addition to the duties imposed and the powers conferred upon the Senate Committee on State and Local Taxation by Senate Resolution No. 127, adopted June 16, 1945, said committee is authorized and directed to ascertain, study, and analyze all facts relating to or in any way bearing upon any phase of any subject mentioned in any of the recitals of this resolution, including but not limited to the operation, effect, administration, enforcement, and needed revision of any and all laws in any way bearing upon or relating to any such subject, and to report thereon to the Senate, including in the reports its recommendations for appropriate legislation.

2. In performing the duties and exercising the powers conferred upon it by this resolution, the committee, its sub-committees, and its members shall have and exercise all of the powers, rights, privileges and duties conferred upon it or them by or pursuant to said Senate Resolution No. 127 of the 1945 Regular Session, and, in addition, are authorized to leave the State of California in the performance of their duties to accomplish the objects and purposes of this resolution.

3. Any and all moneys made available to the Committee by said Senate Resolution No. 127 of the Regular Session of 1945 or by Senate Resolution No. 32 of this extraordinary session, or otherwise, are available for expenditure by the committee and its members in carrying out the objects and purposes of this resolution.

Resolution ordered placed on third reading file.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 118
Senate Bill No. 125
Senate Bill No. 116

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

Above bills ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Joint Resolution No. 10
Senate Joint Resolution No. 9
Senate Joint Resolution No. 3
Senate Joint Resolution No. 8
Senate Concurrent Resolution No. 17

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

Above resolutions ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended:

Senate Bill No. 112	Senate Bill No. 114
Senate Bill No. 120	Senate Bill No. 84
Senate Bill No. 83	Senate Bill No. 124
Senate Bill No. 110	Senate Bill No. 49
Senate Bill No. 123	

And respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

Above bills ordered to unfinished business file.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 174

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was read the first time:

Assembly Bill No. 174—An act to add Section 20654.5 to the Government Code, relating to veterans, and providing for their rights and privileges as members of the State Employees' Retirement System, to take effect immediately.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, February 19, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 122—An act to amend Section 9102 of the Government Code, relating to the salaries of employees in the legislative offices, declaring the urgency hereof, to take effect immediately;

Senate Bill No. 126—An act to amend Section 303 of the Unemployment Insurance Act to make an appropriation to carry out the provisions of Article 10 of said act, relating to unemployment compensation disability payments;

Senate Bill No. 127—An act making an appropriation for the contingent expenses of the Senate, including expenses of committees, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the nineteenth day of February, 1946, at 12 noon.

SEAWELL, Chairman

RECESS

At 12.40 p.m., on motion of Senator Rich, the Senate recessed until 2.30 p.m.

REASSEMBLED

At 2.30 p.m., the Senate reconvened.

Hon. Jerrold L. Seawell, President pro tempore of the Senate, presiding.

Secretary J. A. Beek at the Desk.

CALL OF THE SENATE

Senator Powers moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The Secretary announced the absentees.

Time, 2.30 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE SENATE

Chief Assistant Secretary Cleve V. Taylor at the Desk

RESOLUTIONS

The following resolution was offered:

By Senator Brown:

Senate Resolution No. 50

Relative to augmenting the funds of the Senate Committee on Local Governmental Agencies

Resolved by the Senate of the State of California, That in addition to any money heretofore made available, the sum of two thousand dollars ($2,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the Senate Committee on Local Governmental Agencies (created by Senate Resolution No. 129, Fifty-sixth Regular Session, adopted June 16, 1945) and its members and for any charges, expenses, or claims it may incur under said resolution, to be paid from the Contingent Fund of the Senate and disbursed after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, February 19, 1946

MR. PRESIDENT: The Committee on Rules has appointed the following Senators as Members of the Senate Committee under the terms of Senate Resolution No. 37:

Swing (Chairman), Powers, Hatfield, Parkman, and Rich.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, February 18, 1946

MR. PRESIDENT: The Committee on Rules has appointed the following Senators as Members of the Senate Committee under the terms of Assembly Concurrent Resolution No. 26:

Brown, Mayo, Powers, Swing, Salsman, McBride, and Cunningham.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, February 18, 1946

MR. PRESIDENT: The Committee on Rules has appointed Senator Weybret as a Member of the Committee on Harbors, created by Senate Resolution No. 148 (1945), to fill the vacancy of former Senator Kuchel.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, February 18, 1946

MR. PRESIDENT: The Committee on Rules has appointed the following Senators as Members of the Senate Committee under the terms of Senate Resolution No. 34:

Ward (Chairman), Carter, McBride, Weybret and Dilworth.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, February 18, 1946

MR. PRESIDENT: The Committee on Rules has appointed the following Senators as Members of the Senate Committee under the terms of Senate Resolution No. 31:

Carter (Chairman), Gordon, Biggar, McCormack, and Collier.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, February 18, 1946

MR. PRESIDENT: The Committee on Rules has appointed the following Senators as Members of the Senate Committee under the terms of Assembly Concurrent Resolution No. 20:

Ward and Keating.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, February 18, 1946

MR. PRESIDENT: The Committee on Rules has appointed the following Senators as Members of the Senate Committee under the terms of Assembly Concurrent Resolution No. 3:

Breed, Deuel, Tenney, Jespersen, and Desmond.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, February 18, 1946

MR. PRESIDENT: The Committee on Rules has appointed Senators Salsman and Hatfield to serve as Members of the Allocation Board under terms of Assembly Bill No. 60.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, February 18, 1946

MR. PRESIDENT: The Committee on Rules has appointed Senators Mayo and Seawell, to serve as Members of the State Public Works Board, under terms of Senate Bill No. 37.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, February 18, 1946

MR. PRESIDENT: The Committee on Rules has appointed Senator Biggar as a Member of the Committee on Pacific Relations, created by Assembly Concurrent Resolution No. 25 (Stats. 1945), to fill the vacancy of former Senator Kuchel.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, February 19, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Senate Resolution No. 50

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

Above reported resolution ordered to third reading.

RESOLUTIONS

The following resolution was offered:

By Senator Hatfield:

Senate Resolution No. 51

Relative to providing an adequate quota of wheat and other grains to feed California livestock and poultry

WHEREAS, California has had a greater population increase during the last five years than any State in the Union with consequent increased demand for animal food, including milk, meat, eggs and other products, and a greatly increased production of these products has been brought about here at the urgent demand of Federal agencies.

California imports of wheat and equivalents such as corn, sorghums, barley and oats, in recent years approached 1,200,000 tons annually, and our increased population demands a highly developed and maintained food production.

Wheat is a primary feed ingredient in the Pacific Northwest, a surplus area, and in California, a deficit area. California is critically short of corn, barley, wheat or mill feeds, or other grains for animal feeds, while WFO 144 now effective further drastically reduces the amount of wheat used in animal feeds.

ICC-SO No. 450 permits use of box cars only for foreign export of wheat via Pacific Northwest railroads shutting California off from its normal source for a material portion of its wheat requirements; except that a few cars may be allocated daily under special permit to bring wheat, flour, mill feeds, from that area.

Alfalfa hay and meal supplies are strictly limited here and will be very difficult to obtain until the new crop season.

Assembly Joint Resolution No. 12, adopted by the California Legislature February 5, 1946, points out that California and other West Coast States are desperately short of animal and vegetable proteins, whereas WFO 9, amended, now greatly reduces use of any available proteins in mixed feeds to conserve and spread remaining supplies.

No present relief is in sight from foreign sources for proteins or grains, due to Federal import policies, and the new wheat export program, with other causes cited in Assembly Joint Resolution No. 12.

This may result in liquidation amounting to as much as 45 per cent of our livestock and poultry, unless grains as well as proteins are made available in this deficit area, and is most unfair when the National program for livestock liquidation is not in excess of 15 per cent under proposed 1946 goals.

These protracted and accumulative shortages of feeds for animals creates havoc and disruption of normal and essential food production in this area; now, therefore, be it

Resolved by the Senate of the State of California, That we urgently appeal to the several Federal agencies to consider critical needs in California, and provide adequate wheat quotas from available stocks now scheduled for export from the Pacific Northwest, or grains from other areas, to feed our reasonable share of livestock and poultry, and protect our producers from serious losses due to excess liquidation, animal starvation, and forced marketing of efficient livestock units, with a possible food shortage eventually equalling that in foreign countries;

We further appeal for greater flexibility in orders issued on a Nation-wide basis to care for special and urgent problems in deficit areas; and be it further

Resolved, That copies of this resolution be transmitted by the Secretary of the Senate to the Secretary of Agriculture, and to other appropriate Federal agencies dealing with this problem.

Resolution read, and adopted.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH

At 2.35 p.m., on motion of Senator Powers, further proceedings under the call of the Senate were dispensed with.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Senator Powers:

Resolved, That Assembly Bills No. 58, 19, 170, 149, 154, 163, 166, 168, 156, 71, 155, 165, and 119 present a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bills be read on three several days in each house is hereby dispensed with, and it is ordered that said bills be read the third time, and placed upon their passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Judah, Keating, Mixter, Parkman, Powers, Quinn, Rich, Seawell, Slater, Sutton, Swing, Ward, and Weybret—30.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

THIRD READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 170—An act to add Sections 20602.3 and 20602.9 to the Government Code, and to repeal Sections 20602.2 and 20602.7 thereof, relating to the State Employees' Retirement System, and providing for the rights and privileges of patrol members and warden members thereof, to take effect immediately.

Bill read third time, and presented by Senator Keating.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dorsey, Gordon, Hatfield, Hulse, Judah, Keating, McBride,

McCormack, Mixter, Parkman, Powers, Rich, Seawell, Slater, Sutton, Swing, Tenney, Ward, and Weybret—29.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Dorsey, Gordon, Hatfield, Hulse, Judah, Keating, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—31.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 19—An act to amend Sections 18540, 18541 and 18973 of the Government Code, relating to veterans' preference in State civil service.

Bill read third time.

Motion to Amend

Senator Shelley moved the adoption of the following amendments:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Senate on February 16, 1946, after "service", insert ", declaring the urgency hereof, to take effect immediately".

Amendment No. 2

On page 2 of said bill, after line 10 insert:
"SEC. 4. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:
Many veterans are now available for employment and re-employment by the State. Many State positions are vacant and need to be filled by persons possessing the qualifications and experience of veterans. In order to prevent a stoppage of public business by lack of suitably experienced and suitably qualified personnel, it is necessary that this act take effect immediately."

Amendments read and adopted.
Bill ordered printed, and to third reading.

Assembly Bill No. 154—An act making an appropriation for support of the Division of Fish and Game, Department of Natural Resources, to take effect immediately.

Bill read third time.
The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Dorsey, Gordon, Hatfield, Hulse, Judah, Keating, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—32.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 165—An act to add Section 703 to the Military and Veterans Code, to amend Sections 19485, 19597, 19620, and 19627 of, and to add Section 19485.5 to, the Business and Professions Code, to provide money for the rehabilitation of veterans and assistance to veterans and their dependents from the proceeds of horse racing meetings.

Bill read third time.

Motion to Amend

Senator Burns moved the adoption of the following amendments:

Amendment No. 1

On page 3 of the printed bill, as amended in the Senate on February 19, 1946, strike out lines 25 to 28, inclusive.

Amendment No. 2

On page 3, line 29, of said bill, strike out "(c)", and insert "(b)".

Amendments read and adopted.

Further Amendments to Assembly Bill No. 165

Motion to Amend

Senator Dillinger moved the adoption of the following amendment:

Amendment No. 1

On page 2 of the printed bill, as amended, strike out lines 6 to 19, inclusive, and insert "erans Rehabilitation Fund shall be available for the rehabilitation of veterans pursuant to appropriations hereafter to be made by law."

Amendment read.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Senators Biggar, Cunningham, DeLap, Dillinger, Dilworth, Donnelly, Quinn, Rich, Slater, Sutton, and Swing—11.

NOES—Senators Brown, Burns, Desmond, Dorsey, Hatfield, Hulse, Judah, Keating, McCormack, Mixter, Parkman, Powers, Seawell, Shelley, Tenney, Ward, and Weybret—17.

Further Amendments to Assembly Bill No. 165

Motion to Amend

Senator Quinn moved the adoption of the following amendments:

Amendment No. 1

In the title of the printed bill, as amended, strike out lines 1 and 2, and insert "An act to amend Sections 19485 and 19597 of, and".

Amendment No. 2

In the title of said bill, strike out lines 4 and 5; and in line 6 strike out "proceeds of", and insert "relating to".

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 18, inclusive; on page 2 strike out lines 1 to 22, inclusive, and insert "SECTION 1".

Amendment No. 4

On page 2, line 33, of said bill, strike out "SEC. 4", and insert "SEC. 2".

Amendment No. 5

On page 3, line 1, of said bill, strike out "SEC. 5", and insert "SEC. 3".

Amendment No. 6

On page 3 of said bill, strike out lines 19 to 41, inclusive.

Amendments read.

Roll Call Demanded

Senators Tenney, Burns, and Quinn demanded a roll call.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Senators Biggar, Breed, Cunningham, DeLap, Dillinger, Dilworth, Donnelly, Dorsey, Gordon, Quinn, Rich, Slater, Sutton, and Swing—14.

NOES—Senators Brown, Burns, Crittenden, Desmond, Deuel, Hatfield, Hulse, Judah, Keating, Mayo, McBride, Parkman, Powers, Seawell, Shelley, Tenney, Ward, and Weybret—18.

Assembly Bill No. 165 ordered printed, and to third reading.

Assembly Bill No. 163—An act to add Section 1477.5 to the Labor Code, relating to the Commission of Housing, making an appropriation, declaring the urgency hereof, to take effect immediately.

Bill read third time, and presented by Senator DeLap.

Urgency Clause

Urgency clause read, and refused adoption by the following vote:

AYES—Senators Crittenden, Cunningham, DeLap, Deuel, Dillinger, Hatfield, Hulse, Mayo, McBride, Parkman, Salsman, Seawell, Shelley, Swing, and Ward—15.
NOES—Senators Biggar, Breed, Dilworth, Donnelly, Gordon, Judah, Keating, McCormack, Mixter, Powers, Rich, Slater, Sutton, and Weybret—14.

The roll was called, and the bill refused passage by the following vote:

AYES—Senators Collier, Crittenden, DeLap, Deuel, Dillinger, Dorsey, Mayo, Salsman, Seawell, Shelley, Sutton, Swing, Tenney, and Ward—14.
NOES—Senators Biggar, Breed, Cunningham, Dilworth, Donnelly, Gordon, Hatfield, Judah, Keating, McCormack, Mixter, Parkman, Powers, Rich, Slater, and Weybret—16.

Assembly Bill No. 149—An act making an appropriation for construction, improvements, and equipment for the Training Center for Adult Blind, Department of Education, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Breed.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Breed, Burns, Crittenden, Cunningham, Deuel, Dillinger, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Judah, Keating, Mayo, McBride, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Sutton, Swing, Tenney, Ward, and Weybret—29.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Burns, Collier, Crittenden, Cunningham, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Judah, Keating, Mayo, McBride, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—32.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 166—An act to amend Section 3 of an act entitled "An act to amend Sections 306 and 312 of the Agricultural Code, making an appropriation for carrying out the provisions of said code and declaring the effective date of this act, relating to meat inspection," approved July 10, 1945, relating to meat inspection and providing for an extension of the period within which veterans who own or establish slaughtering or meat food manufacturing establishments may elect to assume State inspection, declaring the urgency of this act, to take effect immediately.

Bill read third time, and presented by Senator Breed.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Judah,

Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Tenney, Ward, and Weybret—34.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Crittenden, Cunningham, DeLap, Deuel, Dilworth, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Judah, Keating, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Seawell, Shelley, Slater, Sutton, Tenney, Ward, and Weybret—30.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 168—An act to amend Section 303 of the Unemployment Insurance Act to make an appropriation to carry out the provisions of Article 10 of said act, relating to unemployment compensation disability payments.

Bill read third time.

Motion to Re-refer Assembly Bill No. 168

Senator Shelley moved that Assembly Bill No. 168 be re-referred to Committee on Finance.

Motion carried.

Assembly Bill No. 156—An act making an appropriation to carry out the State postwar building program in respect to the Veterans' Home of California.

Bill read third time, and presented by Senator Gordon.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Collier, Crittenden, Cunningham, Deuel, Dilworth, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Judah, Keating, Mayo, McBride, Mixter, Parkman, Powers, Quinn, Seawell, Shelley, Slater, Tenney, Ward, and Weybret—27.
NOES—Senators Biggar, Dillinger, and Sutton—3.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 119—An act providing for a program of public works construction for distressed school districts, creating the State School Building Commission, and making an appropriation to carry out the provisions of this act.

Bill read third time, and presented by Senator Hatfield.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Burns, Carter, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Judah, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Rich, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—32.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 58—An act to amend Sections 154 and 460 of the Unemployment Insurance Act relating to a system of unemployment compensation disability benefit payments within the Unemployment Compensation System.

Bill read third time, and presented by Senator Shelley.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Judah, Keating,

Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Seawell, Shelley, Slater, Sutton, Tenney, Ward, and Weybret—32.

NOES—None.

Bill ordered transmitted to the Assembly.

RESOLUTIONS

The following resolutions were offered:

By Senator Carter:

Senate Resolution No. 48

Relative to the creation of a Senate Interim Committee on the Economic Development of California

WHEREAS, The State of California is now confronted with serious problems of postwar reconversion and must, during the next few years, make adequate plans and enact appropriate legislation for the development and prosperity of California industry and business and the full utilization of her natural and economic resources in order to provide for continued prosperity of the State and for the gainful employment of the citizens of the State; and

WHEREAS, The maladjustment of economic conditions and the severe business depression with its consequent unemployment which followed the cessation of hostilities in the first World War provides a grim reminder of the necessity for the formulation of long range plans which will cushion the economic shock of termination of the present war and the cessation of wartime construction, manufacture and production; and

WHEREAS, If employment and business activity are to be maintained at the highest possible level during the coming years, plans must be made to

(a) Absorb defense industry workers and returning veterans in peacetime enterprises, and to that end the development of new industries and new uses for the economic production and natural resources of the State must be stimulated and encouraged;

(b) To develop new and adequate markets for the products of California industries and farms and to free certain existing markets from the monopolistic control of interests adverse to the development of western industry;

(c) To provide for and develop adequate transportation facilities for the transportation of California products to market at reasonable rates;

(d) Provide housing and educational facilities to accomodate the population shifts caused by the migration of workers as result of reconversion from wartime to peacetime industry;

(e) Provide for a constructive program of economic development which will assure the gainful employment of all citizens of the State; and

WHEREAS, The Governor in his Proclamation convening this Legislature in extraordinary session has specified among the subjects which bear upon this problem proposals to provide for continuous economic surveys and investigations necessary to provide for continuous employment for persons within the State, the functioning of the Reconstruction and Reemployment Commission with reference to economic planning and development, research relative to production, sale and consumption of agricultural products, and the stimulation and encouraging of reconversion and establishment of small businesses, each of which proposals demonstrates the need for intensive study and analysis to enable the Legislature to formulate a comprehensive plan, and to determine the most nearly complete solution to the problem of insuring the future economic welfare and prosperity of the people of the State of California; now, therefore, be it

Resolved by the Senate of the State of California, as follows:

1. The Senate Interim Committee on the Economic Development of California is hereby created and appointed and authorized and directed to ascertain, study and analyze all facts relating to the subjects set forth in the foregoing recitals of this resolution, or which are in any way related or incidental thereto, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Senate, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of three members of the Senate appointed by the Committee on Rules thereof. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the next regular session, with authority to file its final report not later than the fifteenth legislative day of the next regular session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a chairman and a vice chairman from its membership.

(b) To cooperate with and secure the cooperation of Federal agencies, and county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution, and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(d) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

(e) To leave the State of California and to hold meetings outside of the State to accomplish the objects and purposes of this resolution.

6. The sum of two thousand five hundred dollars ($2,500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, Deuel, Dillinger, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Seawell, Shelley, Swing, Tenney, and Ward—29.

NOES—None.

Secretary J. A. Beek at the Desk

By Senator Hulse:

Senate Resolution No. 49

Relative to the Senate Committee on State and Local Taxation and further defining the powers and duties of the Committee

WHEREAS, One of the purposes for which the Legislature has been convened is the consideration of legislation relating to the acquisition of land in this State by the United States of America, a subject which has many aspects and involves varied and varying State, Federal, and local governmental relationships, including the bearing and effect of such Federal acquisition, ownership, and jurisdiction upon taxes levied or leviable by the State and by local governmental units within the State, and well may involve both Federal and State legislation, as to which presently available information is incomplete; and

WHEREAS, It is desirable that the Senate, through a committee of its members, make a study of all aspects of this subject to the end that a solution may be found and suitable legislation be prepared for consideration and enactment, a study which doubtless will require conferences with Federal agencies and officials and with officials of various of the other States; now therefore, be it

Resolved by the Senate of the State of California, as follows:

1. In addition to the duties imposed and the powers conferred upon the Senate Committee on State and Local Taxation by Senate Resolution No. 127, adopted June 16, 1945, said committee is authorized and directed to ascertain, study, and analyze all facts relating to or in any way bearing upon any phase of any subject mentioned in any of the recitals of this resolution, including but not limited to the operation, effect, administration, enforcement, and needed revision of any and all laws in any way bearing upon or relating to any such subject, and to report thereon to the Senate, including in the report its recommendations for appropriate legislation.

2. In performing the duties and exercising the powers conferred upon it by this resolution, the committee, its sub-committees, and its members shall have and exercise all of the powers, rights, privileges and duties conferred upon it or them by or pursuant to said Senate Resolution No. 127 of the 1945 Regular Session, and, in addition, are authorized to leave the State of California in

the performance of their duties to accomplish the objects and purposes of this resolution.

3. Any and all moneys made available to the Committee by said Senate Resolution No. 127 of the Regular Session of 1945 or by Senate Resolution No. 32 of this extraordinary session, or otherwise, are available for expenditure by the committee and its members in carrying out the objects and purposes of this resolution.

Resolution read, and adopted.

By Senator Brown:

Senate Resolution No. 50

Relative to augmenting the funds of the Senate Committee on Local Governmental Agencies

Resolved by the Senate of the State of California, That in addition to any money heretofore made available, the sum of two thousand dollars ($2,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the Senate Committee on Local Governmental Agencies (created by Senate Resolution No. 129, Fifty-sixth Regular Session, adopted June 16, 1945) and its members and for any charges, expenses, or claims it may incur under said resolution, to be paid from the Contingent Fund of the Senate and disbursed after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Hatfield, Hulse, Judah, Keating, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Seawell, Shelley, Slater, Swing, Tenney, Ward, and Weybret—31.
NOES—None.

THIRD READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 71—An act to amend Section 5082 of the Business and Professions Code, relating to the registration of veterans as public accountants.

Bill read third time, and presented by Senator Keating.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Judah, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Shelley, Slater, Tenney, Ward, and Weybret—31.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 155—An act to amend Section 6951 of the Business and Professions Code, relating to the regulation and licensing of collection agencies, declaring the urgency of this act, to take effect immediately.

Bill read third time, and presented by Senator Keating.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Breed, Brown, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Judah, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Swing, Tenney, and Weybret—31.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Collier, Crittenden, Cunningham, DeLap, Deuel, Dilworth, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Judah, Keating, Mayo, McBride,

McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Swing, Tenney, and Weybret—30.
NOES—None.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES

Committee on Finance

SENATE CHAMBER, SACRAMENTO, February 19, 1946

MR. PRESIDENT: Your Committee on Finance, to which were referred:

Assembly Bill No. 128
Assembly Bill No. 137

Has had the same under consideration, and reports the same back with the recommendation: Do pass.
Committee membership 11; committee vote: Ayes 6; absent 5.

RICH, Chairman

Above reported bills ordered to second reading.

Committee on Rules

SENATE CHAMBER, SACRAMENTO, February 19, 1946

MR. PRESIDENT: Your Committee on Rules, to which were referred:

Assembly Bill No. 175
Assembly Bill No. 174

Has had the same under consideration, and finds same within the purview of the call, and reports the same back with the recommendation: Do pass.
Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, February 19, 1946

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 32

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.
Committee membership 5; committee vote: Ayes 5.

SEAWELL, Chairman

Above reported resolution ordered to third reading.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Senator Powers:

Resolved, That Assembly Bills Nos. 137, 174, and 175 present cases of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bills be read on three several days in each house is hereby dispensed with, and it is ordered that said bills be read the second and third times, and placed upon their passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Judah, Keating, Mayo, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, and Weybret—32.
NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF ASSEMBLY BILL NO. 137

Assembly Bill No. 137—An act to amend Section 5 of, and to add Sections 1.5, 3.5, 38, and 38.1 to, the California Food and Fiber Production Act, relating to the providing of housing facilities for agricultural

labor, authorizing the granting of assistance to local agencies for the purpose of providing such housing, authorizing such local agencies to provide such housing facilities and defining their powers and duties in respect thereto, making an appropriation, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 175—An act making an appropriation for the contingent expenses of the Assembly, including expenses of committees, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 174—An act to add Section 20654.5 to the Government Code, relating to veterans, and providing for their rights and privileges as members of the State Employees' Retirement System, to take effect immediately.

Bill read second time, and ordered to third reading.

THIRD READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 128—An act providing for a new women's prison, making an appropriation for the acquisition of real property for a site therefor, and authorizing the Department of Corrections to construct and equip such prison.

Bill read third time, and presented by Senator Breed.

Previous Question

Senator Quinn moved the previous question.

Motion carried.

The question being on the final passage of the bill.

The roll was called and the bill refused passage by the following vote:

AYES—Senators Biggar, Breed, Brown, Carter, Collier, Crittenden, DeLap, Dillinger, Dilworth, Donnelly, Mayo, McCormack, Mixter, Parkman, Rich, Salsman, Slater, Swing, and Tenney—19.

NOES—Senators Burns, Cunningham, Desmond, Deuel, Dorsey, Gordon, Hatfield, Hulse, Judah, Keating, McBride, Powers, Quinn, Seawell, Shelley, Sutton, and Weybret—17.

Assembly Bill No. 137—An act to amend Section 5 of, and to add Sections 1.5, 3.5, 38, and 38.1 to, the California Food and Fiber Production Act, relating to the providing of housing facilities for agricultural labor, authorizing the granting of assistance to local agencies for the purpose of providing such housing, authorizing such local agencies to provide such housing facilities and defining their powers and duties in respect thereto, making an appropriation, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Hatfield.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Biggar, Brown, Burns, Carter, Collier, Crittenden, Dillinger, Dilworth, Dorsey, Gordon, Hatfield, Hulse, Judah, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Seawell, Shelley, Slater, Sutton, Swing, and Weybret—27.

NOES—Senators DeLap and Rich—2.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Brown, Burns, Carter, Collier, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Judah, Mayo, McBride, Mixter, Parkman, Powers, Quinn, Seawell, Shelley, Slater, Sutton, Swing, and Weybret—28.
NOES—Senators DeLap and Rich—2.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 165—An act to add Section 703 to the Military and Veterans Code, to amend Sections 19485, 19597, 19620, and 19627 of, and to add Section 19485.5 to, the Business and Professions Code, to provide money for the rehabilitation of veterans and assistance to veterans and their dependents from the proceeds of horse racing meetings.

Bill read third time, and presented by Senator Burns.

The roll was called.

Call of the Senate

Pending the announcement of the vote, Senator Burns moved a call of the Senate.

Motion carried. Time, 2.40 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE SENATE

THIRD READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 19—An act to amend Sections 18540, 18541 and 18973 of the Government Code, relating to veterans' preference in State civil service, declaring the urgency hereof, to take effect immediately.

Bill read third time, and presented by Senator Shelley.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Donnelly, Dorsey, Judah, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—30.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Burns, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Hulse, Judah, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—32.
NOES—None.

Bill ordered transmitted to the Assembly.

REQUEST FOR UNANIMOUS CONSENT

Senator Shelley asked for, and was granted, unanimous consent to take up Assembly Bill No. 175, without reference to Committee on Finance.

CONSIDERATION OF ASSEMBLY BILL NO. 175

Assembly Bill No. 175—An act making an appropriation for the contingent expenses of the Assembly, including expenses of committees, to take effect immediately.

Bill read third time, and presented by Senator Shelley.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Burns, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Judah, Keating, Mayo, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Seawell, Shelley, Slater, Sutton, Swing Tenney, Ward, and Weybret—30.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 174—An act to add Section 20654.5 to the Government Code, relating to veterans, and providing for their rights and privileges as members of the State Employees' Retirement System, to take effect immediately.

Bill read third time, and presented by Senator Shelley.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Gordon, Judah, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—32.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Judah, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Rich, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—31.
NOES—None.

Bill ordered transmitted to the Assembly.

Senator Shelley Presiding

At 2.45 p.m., Senator John F. Shelley, of the Fourteenth District, presiding.

Assembly Concurrent Resolution No. 32—Relative to State revenues and expenditures and the relation of each to the other.

Resolution read, and presented by Senator Tenney.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Hulse, Judah, Keating, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—30.
NOES—None.

Resolution ordered transmitted to the Assembly.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

SENATE CHAMBER, SACRAMENTO, February 19, 1946

MR. PRESIDENT: The Committee on Conference concerning:

Assembly Bill No. 146—An act to amend Section 4300c of the Political Code, and Section 6107 of the Government Code, relating to the recordation and issuance of certified copies of documents of discharge, service, release, and separation of veterans";

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill, as amended on February 15, 1946, be further amended as follows:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended, strike out ", and to add Section 4131.5 to,".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 13, inclusive.

Amendment No. 3

On page 1, line 14, of said bill, strike out "SEC. 2", and insert "SECTION 1".

Amendment No. 4

On page 3, line 18, of said bill, strike out "SEC. 3", and insert "SEC. 2".

KEATING
SHELLEY
Senate Committee on Conference

McCOLLISTER
MALONEY
Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Gordon, Hulse, Judah, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Rich, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—31.
NOES—None.

UNFINISHED BUSINESS (RESUMED)

Consideration of Assembly Amendments

Senate Bill No. 112—An act to amend Section 205 of the Revenue and Taxation Code, relating to the veterans' exemption.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Bill No. 112?

Amendment No. 1

On page 2, line 21, of the printed bill, as amended in the Senate on February 16, 1946, strike out "the expiration of the"; and strike out lines 22 and 23, and insert "May 16, 1946".

Amendment No. 2

On page 2 of said bill, between lines 23 and 24, insert

"SEC. 2. The definition of World War II as added to Section 205 of the Revenue and Taxation Code by this act applies only to the subject matter of that section. Particularly, it does not apply to or affect the meaning of "cessation of hostilities," "termination of hostilities," "termination of wars in which the United States is engaged," or similar terms, as used in other statutes, which terms shall continue to mean (unless otherwise indicated in the statute in which used) the cessation or termination of hostilities or of war as appropriately declared by the President or the Congress of the United States."

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 112 by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Judah, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Seawell, Shelley, Slater, Sutton, Tenney, Ward, and Weybret—30.
NOES—None.

Above bill ordered enrolled.

Consideration of Assembly Amendments

Senate Bill No. 120—An act to amend Sections 21290, 21291, 21295, and 21298 of the Government Code, and to add Section 21297 thereto, relating to retirement allowances payable by the State Employees' Retirement System in cases of retirement for disability, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Bill No. 120?

Amendment No. 1

On page 1, lines 8 and 9, of the printed bill, strike out "the lowest age at which he would be eligible for service retirement", and insert "age 60".

Amendment No. 2

On page 1 of said bill, strike out lines 11 to 18, inclusive.

Amendment No. 3

On page 1, line 20, of said bill, after "disability", insert "and every patrol member retired for nonindustrial disability".

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 120 by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Judah, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret—35.

NOES—None.

Above bill ordered enrolled.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH

At 2.47 p.m., on motion of Senator Burns, further proceedings under the call of the Senate were dispensed with.

The names of the absentees were called, and Assembly Bill No. 165 refused passage by the following vote:

AYES—Senators Burns, Collier, Crittenden, Desmond, Deuel, Dillinger, Dorsey, Gordon, Hatfield, Hulse, Judah, Keating, Mayo, McBride, McCormack, Parkman, Powers, Seawell, Shelley, Tenney, and Ward—21.

NOES—Senators Biggar, Breed, Brown, Carter, Cunningham, DeLap, Dilworth, Donnelly, Mixter, Quinn, Rich, Slater, Sutton, Swing, and Weybret—15.

UNFINISHED BUSINESS (RESUMED)

Consideration of Assembly Amendments

Senate Bill No. 83—An act to add Chapter 13.6 to Division 3 of the Education Code, relating to the support of school districts in distress as a result of war created conditions, and making an appropriation therefor.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Bill No. 83?

Amendment No. 1

On page 2, line 18, of the printed bill, as amended in the Senate on February 1, 1946, strike out the period, and insert ", except that in any elementary school district in which the assessed valuation is less than one dollar ($1) per unit of average daily attendance for the school year 1946-1947 and which district is eligible to receive an apportionment under this chapter, the current expenses shall not exceed one hundred forty-one dollars ($141) per unit of average daily attendance in the elementary schools of the district."

Amendment No. 2

On page 3, lines 28 and 29, of said bill, strike out "dollars ($2,000,000)", and insert "twenty thousand dollars ($20,020,000)".

Amendment No. 3

On page 1, line 21, of said bill, after "less", insert "not more than".

Amendment No. 4

On page 2, line 9, of said bill, after "plus", insert "not more than".

Amendment No. 5

On page 2, line 11, of said bill, after "services", insert "plus an amount for transfers for tuition as required by law".

Amendment No. 6

On page 2, line 11, of said bill, after "income", insert "exclusive of the net beginning balance on July 1, 1946".

Amendment No. 7

On page 2, line 12, of said bill, after "sources", insert "applicable to these budgetary purposes".

Amendment No. 8

On page 2, line 15, of said bill, strike out "regular".

Amendment No. 9

On page 2, line 18, of said bill, strike out "regular".

Amendment No. 10

On page 2, of said bill, after line 18, insert "In computing an apportionment under this act, an allowance shall be made for the 1946-1947 accumulation in a Special Accumulative Building Fund established before January 1, 1946; no allowance shall be made for such funds established on or after that date. Nothing in this act shall interfere with the expenditure of a Special Accumulative Building Fund."

Amendment No. 11

On page 2, line 24, of said bill, strike out "regular".

Amendment No. 12

On page 2, line 27, of said bill, strike out "regular".

Amendment No. 13

On page 2, line 34, of said bill, strike out "regular".

Amendment No. 14

On page 2, line 36, of said bill, strike out "regular".

Amendment No. 15

On page 2, line 37, of said bill, strike out "period July 1, 1946 to December 1, 1946, inclusive", and insert "first three school months of the school year 1946-1947, multiplied by the ratio between the actual average daily attendance of the schools of the district for the first three school months of the school year 1945-1946 and the actual average daily attendance of the schools of the district for the entire school year 1945-1946".

Amendment No. 16

On page 2, line 29, of said bill, strike out "December 20, 1946", and insert "January 10, 1947".

Amendment No. 17

On page 2, line 43, of said bill, immediately preceding "Not", insert "7007.1".

Amendment No. 18

On page 2 of said bill, after line 48, insert

"7007.2. If the amount computed as the total apportionment to any district pursuant to Section 7006 is less than the amount apportioned to such district under the second preceding paragraph of this section, the Superintendent of Public Instruction shall demand, and the governing board of the district shall make, a refund of the excess apportionment. The amount refunded shall be paid by the Superintendent of Public Instruction into the State Treasury for credit to the General Fund.

7007.3. If any district receives funds from the Federal Government for the general maintenance and operation of the schools of the district after the making of the apportionment to the district under Section 7007.1; and such funds were not taken into account in computing the apportionment to the district under Section 7006, the Superintendent of Public Instruction shall demand, and the governing board of the district shall make, a refund of the amount which would not have been apportioned to the district had such Federal funds been so taken into account. The amount refunded shall be paid by the Superintendent of Public Instruction into the State Treasury for credit to the General Fund."

Amendment No. 19

On page 3, line 19, of said bill, strike out "special school", and insert "general".

Amendment No. 20

On page 3, line 19, of said bill, strike out "and of".

Amendment No. 21

On page 3, line 20, of said bill, strike out "the county".

Amendment No. 22

On page 2, line 15, of the printed bill, as amended in the Assembly on February 7, 1946, strike out "For the purposes of this section."

Amendment No. 23

On page 2 of said bill, strike out lines 16 to 27, inclusive.

Amendment No. 24

On page 2, of said bill, after line 43, insert

"For the purposes of this section, the current expenses allowed under Section 7004 shall not exceed one hundred twenty dollars ($120) per unit of average daily attendance in the elementary schools of the district and one hundred eighty dollars ($180) per unit of average daily attendance in the high schools and junior colleges of the district, except that in any elementary school district in which the assessed valuation is less than one dollar ($1) per unit of average daily attendance for the school year 1946-1947 and which district is eligible to receive an apportionment under this chapter, the current expenses shall not exceed one hundred forty-one dollars ($141) per unit of average daily attendance in the elementary schools of the district."

Amendment No. 25

On page 2, line 50, of said bill, strike out "estimate", and insert "computation,".

Amendment No. 26

On page 3, line 1, of said bill, strike out "of", and insert "following the opening of the regular day schools of the district for".

Amendment No. 27

On page 3, line 4, of said bill, strike out "of", and insert "following the opening of the regular day schools of the district for".

Amendment No. 28

On page 3, of said bill, after line 6, insert

"For the purposes of this section, the current expenses allowed under Section 7004 shall be the amount computed as shown by the budget of the district but not more than the amount obtained by multiplying the average daily attendance of the schools of the district as determined under this section for the first three school months following the opening of the regular day schools of the district for the school year 1946-1947 by the average amount of current expenses per unit of average daily attendance during the school year 1945-46 for all districts, except that in any elementary school district in which the assessed valuation is less than one dollar ($1) per unit of average daily attendance for the school year 1946-1947 and which district is eligible to receive an apportionment under this chapter, the current expenses shall be not less than one hundred forty-one dollars ($141) per unit of average daily attendance in the elementary schools of the district. For purposes of this section the average daily attendance shall be the total number of days of pupil attendance divided by the number of days taught in the regular day schools of the district during the first three school months of the school year. The average daily attendance in classes in which average daily attendance is calculated on a weekly basis may be estimated by the Superintendent of Public Instruction from data based on the first three months of 1946-1947 and corresponding figures for the prior year."

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 83 by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Collier, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Judah, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Rich, Seawell, Shelley, Slater, Sutton, Tenney, Ward, and Weybret—32.

NOES—None.

Above bill ordered enrolled.

Consideration of Assembly Amendments

Senate Bill No. 110—An act to add Section 6.1 to the Alcoholic Beverage Control Act, relating to veterans' organizations and providing for the issuance of on-sale distilled spirits licenses to such organizations.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Bill No. 110?

Amendment No. 1

On page 1 of the printed bill, as amended in the Senate on February 11, 1946, strike out lines 3 to 8, inclusive, and insert

"SEC. 6.1. Any post, chapter, camp or other local unit composed solely of veterans, and which is a post, chapter, camp or other local unit of an organization composed solely of veterans which has been chartered by the Congress of the United States for patriotic, fraternal or benevolent purposes, and which post, chapter, camp or other local unit has, as the owner, lessee or occupant thereof, operated an establishment for any such purpose for not less than one year, is a bona fide club".

Amendment No. 2

On page 1 of said bill, strike out lines 11 and 12, and insert

"The board may issue one "veterans' club license" to any such post, chapter, camp or other local unit of an organization of veterans above mentioned for the establishment, if otherwise satisfactory, where such post, chapter, camp or other local unit maintains such club. The fee for a veterans' ".

Amendment No. 3

On page 1, line 14, of said bill, after "license", insert "in the locality where the club is maintained".

Amendment No. 4

On page 1, line 19, of the printed bill, as amended, after "establishment", insert "so owned, leased, or occupied by the local unit of an organization of veterans for patriotic, fraternal, or benevolent purposes".

Amendment No. 5

On page 1, line 20, of said bill, after "their", insert "bona fide".

Amendment No. 6

On page 2, line 1, of said bill, after the period, insert "The provisions of Section 38f do not apply to bona fide clubs.

No member and no officer, agent, or employee of a licensee under this section shall be paid or shall directly or indirectly receive, in the form of salary or other compensation, any of the profits from the distribution or sale of alcoholic beverages to the licensee or to the members of the licensee or its guests, beyond the amount of such salary as may be fixed and voted at any regular meeting by the members of the licensee or by its governing body, out of the general revenue of the local unit of the organization of veterans to which a license is issued pursuant to this section.

The board may revoke any license issued pursuant to this section in any case where, in the judgment of the board, the licensee ceases to operate as a bona fide club."

Amendment No. 7

On page 2, line 17, of said bill, as amended in the Assembly on February 15, 1946, strike out "bona fide clubs", and insert "licenses issued or to be issued pursuant to this section".

The roll was called, and the Senate concurred in the Assembly amendments to Senate Bill No. 110 by the following vote:

AYES—Senators Biggar, Breed, Brown, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Judah, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Rich, Seawell, Shelley, Slater, Tenney, Ward, and Weybret—29.

NOES—None.

Above bill ordered enrolled.

Consideration of Assembly Amendments

Senate Bill No. 123—An act to repeal Section 14 of an act entitled "An act to provide a unified program of construction, improvement, and equipment for State agencies, creating a State Public Works Board, and making an appropriation to carry out the provisions of this act," enacted at the First Extraordinary Session of the Fifty-sixth Legislature, relating to public works.

The question being: Shall the Senate concur in the following Assembly amendment to Senate Bill No. 123?

Amendment No. 1

In line 5 of the title of the printed bill, after "act," insert "enacted at the First Extraordinary Session of the Fifty-sixth Legislature,".

The roll was called, and the Senate concurred in Assembly amendment to Senate Bill No. 123 by the following vote:

AYES—Senators Biggar, Breed, Brown, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Judah, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Rich, Seawell, Shelley, Slater, Sutton, Tenney, Ward, and Weybret—31.

NOES—None.

Above bill ordered enrolled.

Consideration of Assembly Amendments

Senate Bill No. 114—An act to amend Section 1262 of, and to add Section 1263 to, the Military and Veterans Code, relating to memorial buildings.

The question being: Shall the Senate concur in the following Assembly amendment to Senate Bill No. 114?

Amendment No. 1

On page 1, line 24, of the printed bill, as amended in the Senate on February 13, 1946, strike out "one and one-half mills ($0.0015)", and insert "two and one-half mills ($0.0025)".

The roll was called, and the Senate concurred in Assembly amendment to Senate Bill No. 114 by the following vote:

AYES—Senators Biggar, Breed, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Rich, Seawell, Shelley, Slater, Sutton, Tenney, Ward, and Weybret—32.
NOES—None.

Above bill ordered enrolled.

Consideration of Assembly Amendments

Senate Bill No. 84—An act making an appropriation for investigation, survey and report concerning construction and operation of public works for the control and utilization of the flood waters of streams in Kern County, an urgency measure to take effect immediately.

The question being: Shall the Senate concur in the following Assembly amendment to Senate Bill No. 84?

Amendment No. 1

On page 1, line 4, of the printed bill as amended in the Senate on January 30, 1946, following "Board", insert "during the Ninety-seventh and Ninety-eighth Fiscal Years".

The roll was called, and the Senate concurred in Assembly amendment to Senate Bill No. 84 by the following vote:

AYES—Senators Biggar, Breed, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Rich, Seawell, Shelley, Slater, Sutton, Ward, and Weybret—31.
NOES—None.

Above bill ordered enrolled.

Consideration of Assembly Amendments

Senate Bill No. 124—An act to create an Agricultural Research Study Committee, provide for its powers and duties, and making an appropriation.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Bill No. 124?

Amendment No. 1

On page 1, line 17, of the printed bill, strike out the word "appointive".

Amendment No. 2

On page 2, line 1, of said bill, between the words "the", and "general", insert "scope and".

Amendment No. 3

On page 2, line 4, of said bill, following the period, insert "The committee shall ascertain the necessity for the creation of a permanent agency or the possibility of the use of existing agencies to insure the widest possible dissemination of the benefits of such research."

Amendment No. 4

On page 1, line 11, of the printed bill, after "committee.", insert "One member of the Senate appointed by the Senate Committee on Rules, and one member of the Assembly appointed by the Speaker, shall meet with and participate in the work of the committee as ex officio members to the extent that such participation is not incompatible with their respective positions as members of the Legislature. The members of the Legislature so appointed are hereby constituted a legislative interim committee on the subject of this act, with all the powers and duties imposed upon such committees by the Joint Rules of the Legislature."

Amendment No. 5

On page 1, line 12, of said bill, strike out "appointive".

Amendment No. 6

On page 1, line 23, of said bill, strike out "90", and insert "30".

Amendment No. 7

On page 2, line 1, of said bill, after "research", strike out "in the College of Agriculture of the University of California".

Amendment No. 8

On page 2, line 5, of said bill, after "to", insert ", but not be limited to,".

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 124 by the following vote:

AYES—Senators Biggar, Breed, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Judah, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Rich, Seawell, Shelley, Slater, Tenney, Ward, and Weybret—31.
NOES—None.

Above bill ordered enrolled.

Consideration of Assembly Amendments

Senate Bill No. 49—An act providing for research and its adaptation to the production, processing, distribution and utilization of agricultural products grown in the State of California and making an appropriation therefor, declaring the urgency of this act, to take effect immediately.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Bill No. 49?

Amendment No. 1

On page 1, lines 3 and 4, of the printed bill, as amended in the Senate on January 24, 1946, strike out "two million three hundred thousand dollars ($2,300,000)", and insert "two million four hundred thousand dollars ($2,400,000)".

Amendment No. 2

On page 1, line 14, of said bill, strike out "87", and insert "83½".

Amendment No. 3

On page 1, line 16, of said bill, strike out "13", and insert "4 per cent, if and when expended, is available for expenditure without regard to fiscal years and for no other purpose than for research in the production of agricultural crops in Antelope Valley, Los Angeles County, including the possibilities of producing crops if the underground water table in that area continues to fall, and 12½".

Amendment No. 4

On page 2 of the printed bill, as amended in the Assembly on February 8, 1946, strike out lines 2, 3 and 4 and insert "tion of land or the construction of buildings, and the purchase of equipment for expansion of the agricultural research facilities of the Meloland Field Station of the University of California in Imperial County."

Amendment No. 5

On page 1, line 3, of said bill, after "of", insert "two million three hundred thousand dollars ($2,300,000)".

Amendment No. 6

On page 1, line 4, of said bill, strike out "two million four hundred thousand dollars ($2,400,000)".

Amendment No. 7

On page 1, line 13, of said bill, after "appropriated," insert "87".

Amendment No. 8

On page 1, line 14, of said bill, strike out "83½".

Amendment No. 9

On page 1 of said bill, strike out lines 15 to 19, inclusive; and in line 20, strike out "table in that area continues to fall, and 12½ per cent," and insert "Ninety-eighth Fiscal Years; 13 per cent,".

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 49 by the following vote:

AYES—Senators Biggar, Breed, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Judah, Keating, Mayo, McBride, McCormack, Mixter, Seawell, Shelley, Slater, Sutton, Tenney, and Ward—29.

NOES—None.

Above bill ordered enrolled.

President Pro Tempore of the Senate Presiding

At 2.50 a.m., Hon. Jerrold L. Seawell, President pro tempore of the Senate, presiding.

REQUEST FOR UNANIMOUS CONSENT

Senator Seawell asked for, and was granted unanimous consent to have the following report submitted by the Attorney General in accordance with Senate Concurrent Resolution No. 52 of the Fifty-sixth Session, regarding the waters of Donner Lake, printed in the Journal:

STATE OF CALIFORNIA, DEPARTMENT OF JUSTICE
LIBRARY AND COURTS BUILDING
SACRAMENTO, 14, CALIFORNIA, February 18, 1946

Legislature of California,
Fifty-sixth (First Extraordinary) Session
State Capitol, Sacramento, California

Attention: HONORABLE JOSEPH A. BEEK,
Secretary of the Senate
HONORABLE ARTHUR A. OHNIMUS,
Chief Clerk of the Assembly

GENTLEMEN: By Senate Concurrent Resolution No. 52 of the Fifty-sixth Session (Statutes of 1945, Chapter 112 of Resolutions, Page 3118), adopted June 2, 1945, it was resolved by the Legislature:

> "That the Attorney General is requested to take such action, including the commencement and prosecution of necessary litigation, as will protect the interest of the people of this State in the waters of Donner Lake; and be it further
> *Resolved,* That the Attorney General is further requested to advise the Legislature during its present session of any legislation necessary to protect the interest of the people of California in the waters of Donner Lake;"

On June 11, 1945, I advised the Legislature that we had no legislation to suggest to the 1945 session due to the insufficient time to study the matter, but that a further report would be rendered (Senate Journal for June 15, 1945, at Page 3878; Assembly Journal for June 15, 1945, at Page 19).

In the time which has intervened since June, 1945, we have gathered considerable factual information and have made a study of the legal phases of the problem. Under the facts as developed we can not see how any legal proceeding which would accomplish anything beneficial for the State of California could be successfully prosecuted. The reasons for this conclusion require a recounting of the facts and history of the lake.

The townships in which Donner Lake is situated, together with the meander line around the lake, were surveyed by the United States General Land Office in 1865. The lake is drained by Donner Creek, which leaves the lake at the easterly end thereof and drains into the Truckee River which flows out of California into Nevada. The Truckee River flows through the City of Reno easterly through Fallon and finally terminates in Pyramid Lake, from which there is no outlet.

A dam across Donner Lake approximately 1,000 feet east of the outlet of the lake was constructed some time between 1870 and 1880. All of the land around Donner Lake and downstream to the damsite is owned by the Donner Lake Company which for many years operated the Donner Lake Resort at the west end of the lake. This Company replaced the original dam in 1929 with the present concrete structure which is located at about the same place. Exact information as to the natural elevation of the outlet from the lake and the creek bed prior to the construction of the original dam is apparently not available. However, the dam which was constructed in 1929 did not change, so far as we can determine, the elevation of the sill of the original dam, so that the lowest elevation to which the lake can be drained has remained the same since the construction of the original dam. From the natural appearance on the ground, it does not appear that at any time has the natural rim of the lake been lowered so as to permit the drainage of the lake to a lower elevation than that which existed in a state of nature. In other words, while Donner Lake has been used as a reservoir in which to store water and to withdraw it when desired by those in control of the dam, nothing seems to have been done to reduce the natural level of the lake at any time. On the contrary, the level of the lake has been maintained at a higher elevation than would naturally have occurred, except during the periods when the dam has been opened. As nearly as we can determine, the natural level of Donner Lake, in the absence of any dam on Donner Creek, is about 5,924 feet above sea level.

The dam now in place stores water to approximately the elevation of 5,936 feet above sea level, that is, approximately 12 feet above the natural level of the lake. The effect of thus storing water is to flood the privately owned land around the rim of the lake, leaving the meander line of the lake as surveyed by the United States General Land Office in 1865 some 12 feet under water.

If it be assumed that Donner Lake is a navigable lake—and there may be considerable question about that under the law relating to navigability—the boundaries of the lake would nevertheless be limited to this meander line, and the land above that meander line would be privately owned.

As above stated, the Donner Lake Company owns all of the land surrounding the lake and downstream to the site of the dam. During the period of 1924 to 1942, inclusive, the Donner Lake Company from time to time sold to the Sierra Pacific Power Company and the Truckee-Carson Irrigation District all or a portion of the water which the Donner Lake Company stored in the lake with certain limitations as to the dates upon which the water could be withdrawn. Generally speaking, the Donner Lake Company required the level of the lake to be maintained at almost the elevation of the top of the dam until after the resort season had ended in the fall of the year.

In 1943 the Donner Lake Company sold to the Truckee-Carson Irrigation District (formed under Nevada law) and the Sierra Pacific Power Company the dam across Donner Lake, together with the right to store water in Donner Lake and to withdraw the water so stored for the use of the irrigation district and the power company. The deed conveying these rights was dated May 3, 1943. Under that deed the maximum elevation to which water can be stored is fixed at 5,935.8 feet, this elevation being the maximum to which the lake can be raised without flooding the resort owned by the Donner Lake Company at the west end of the lake. The lake can not be drawn down prior to September 1st of any year below the elevation of 5,932 feet, thus assuring a high enough level to permit the recreational use of the lake. The power company and the irrigation district by an agreement between themselves have further limited the withdrawal of water prior to September 15th of any year, providing that no drafts will be made on Donner Lake prior to that date unless required for domestic use in Reno and vicinity and to provide a total flow at a dam on the Truckee River owned by the irrigation district of 100 cubic second feet.

Shortly after the deed conveying the water rights above mentioned was recorded, the power company and the irrigation district, in October of 1943, released waters from the lake so as to reduce its elevation to 5,925.86 feet. This was done for the purpose of permitting the creek channel between the outlet of the lake and the dam to be cleaned out. This cleaning operation was necessary because a large amount of silt and sawdust had been deposited in the creek channel. The natural flow of the stream, had there been no dam, would, in all probability, have kept the channel clear.

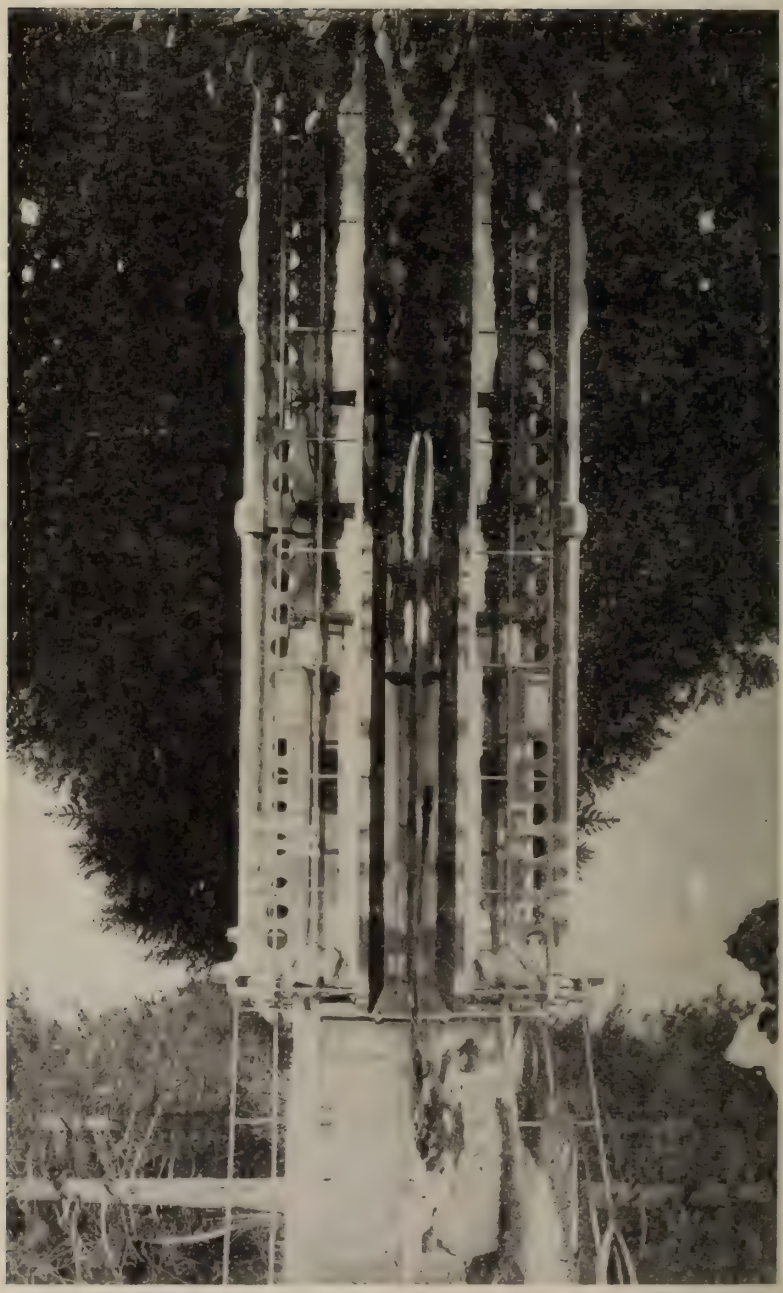
From all that we can ascertain, it was this withdrawal from Donner Lake for the purpose of permitting the channel to be cleaned out that caused the residents of the area of Donner Lake to become concerned about the intentions of the irrigation district and the power company and to fear that Donner Lake would be permanently maintained at the low level to which it was reduced at that time. Apparently it was assumed, although there was no basis in fact for such an assumption, that the natural rim of the lake was being lowered so as to permanently destroy the lake. This was not the fact as the dam itself would have had to be removed and further excavations made to accomplish this purpose, the sill of the dam having been constructed at the natural elevation of the lake's rim.

The Sierra Pacific Power Company and the Truckee-Carson Irrigation District have been most cooperative in furnishing us all of the information at their command and

have outlined in detail to us their intended method of operation which in general follows what has been done since 1929. That method of operation is to use Donner Lake as a storage reservoir and to maintain the level of the lake as close to its maximum elevation as is possible from early spring until approximately December of each year. Withdrawals from the lake are made in December, January and February to augment the flow of the Truckee River so as to permit the operation of the power houses along the Truckee River, at the same time conserving the waters of Lake Tahoe. The water released during this period is not wasted but is held in a reservoir of the irrigation district near Fallon for use during the following irrigation season. This procedure was followed in the winter of 1944-45 and is being followed this year (1945-1946).

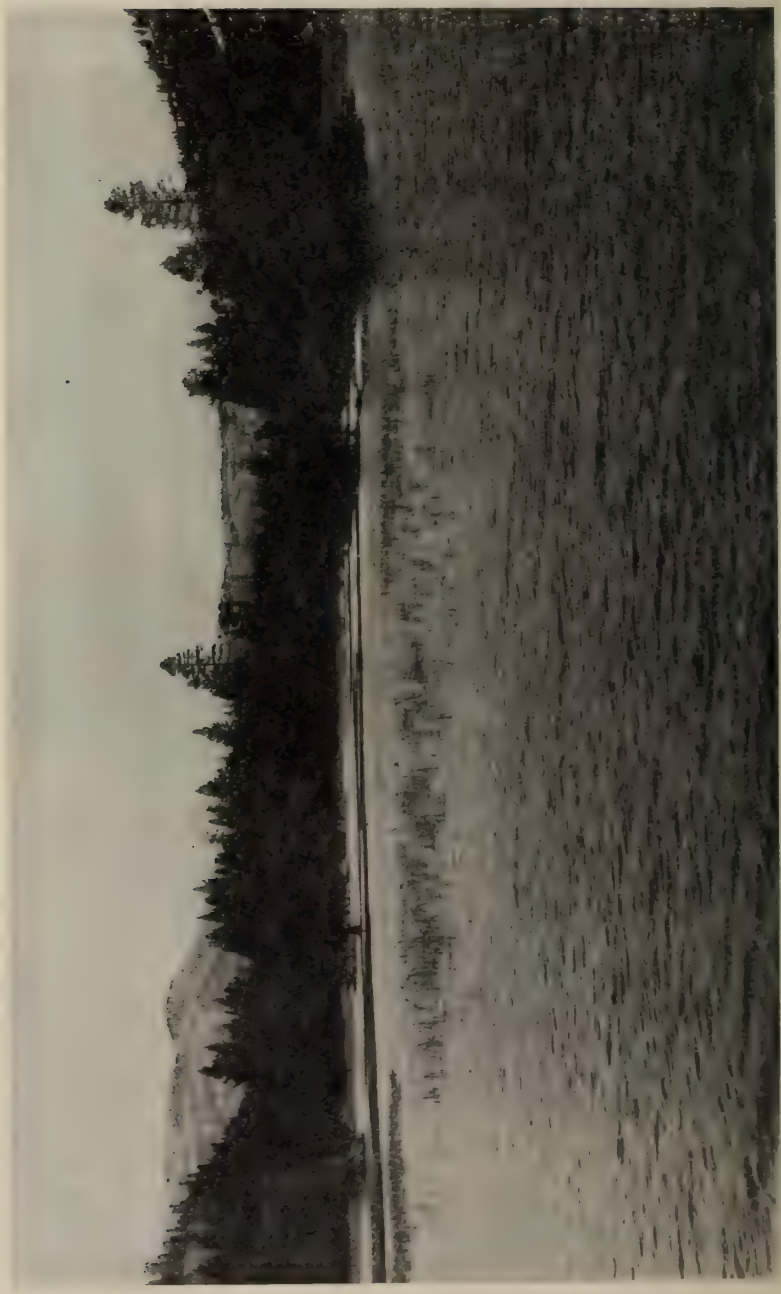
Attached hereto are two sets of pictures, marked on the bottom "A-1" to "A-7," inclusive, and "B-1" to "B-7," inclusive. The series marked "A" was taken on November 27, 1945. Referring to pictures No. "A-1" and "A-2," the target on the level rod shows elevation 5936. It is to be noted that the water level at the bottom of the level rod is only one and one-half feet below this point so that the lake level was within approximately one foot of the maximum elevation to which the lake can be maintained without flooding the Donner Lake Resort. The other pictures in this series show the shoreline of the lake at various locations, indicating that the lake is approximately full. The lake had been at this level or higher since April, 1945.

The second series of pictures was taken on February 1, 1946. By looking at the pictures "B-1" and "B-2," containing the dam and the level rod, it will be seen that the level of the lake had been reduced to approximately 5930.9 feet; in other words, the elevation of the lake had been lowered by some 3.6 feet. The other pictures in this series were also taken on February 1st and indicate the shoreline of the lake at this reduced elevation. We had hoped to obtain a third set of pictures indicating the lowest level to which the lake would be reduced, but inclement weather has prevented taking these pictures. We are assured by both power company and the irrigation district that the dam will be so operated that the lake will be filled again in the early spring from the spring runoff of melting snows and rains, and will remain approximately full until next winter.

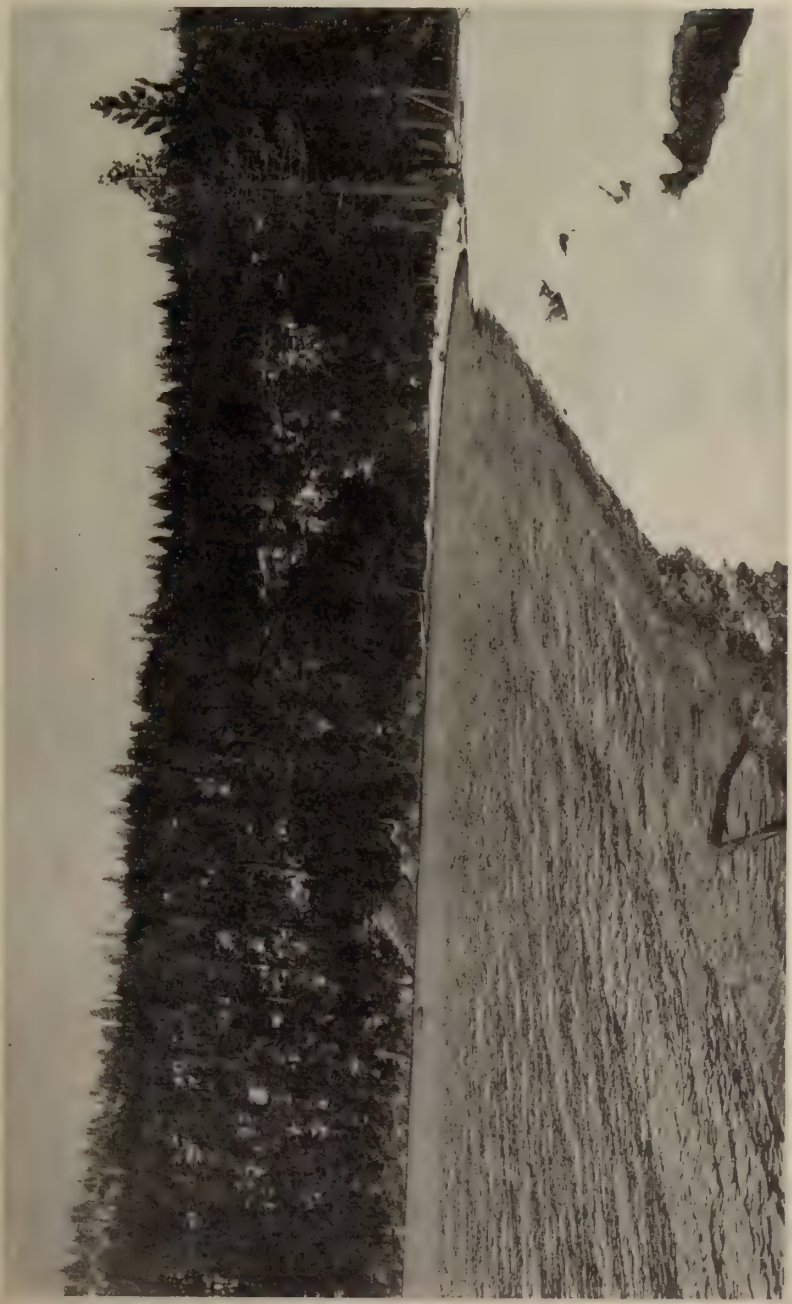


A-1

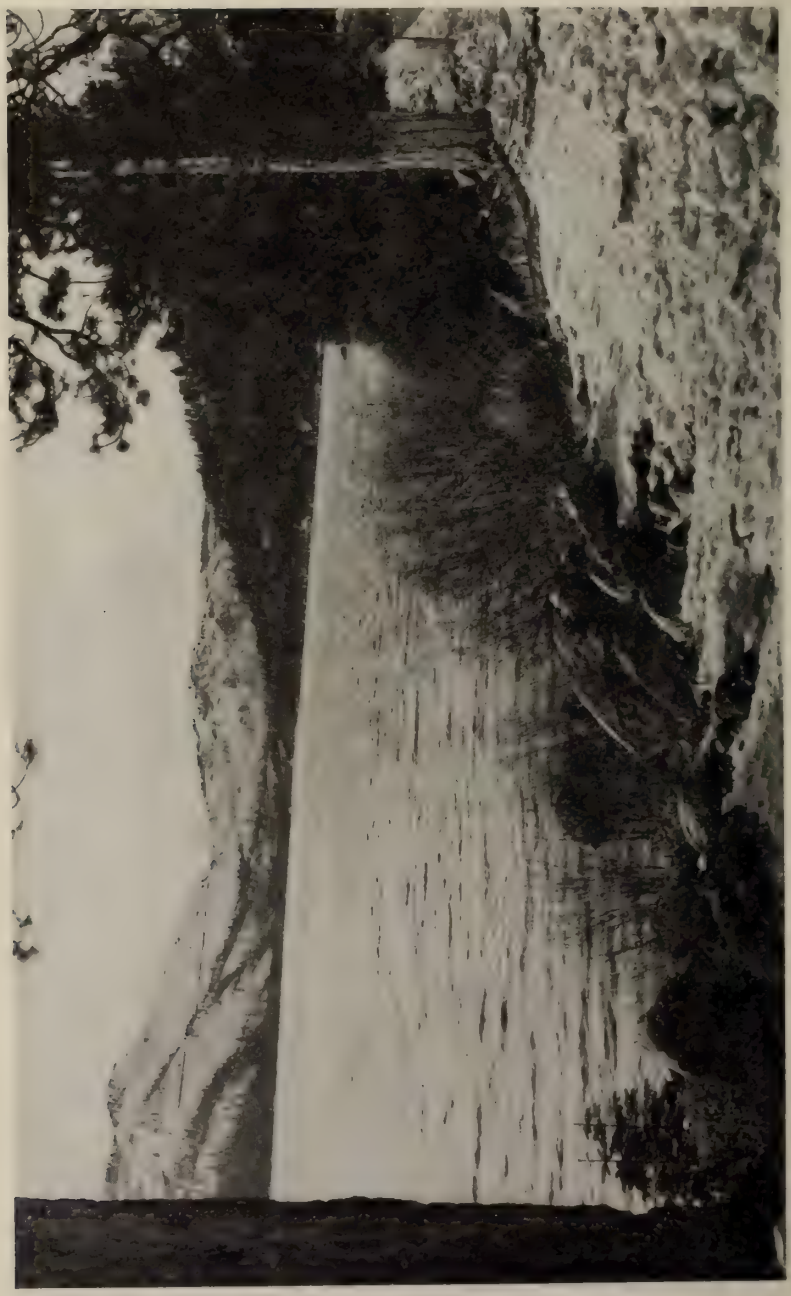
A-2



A-3

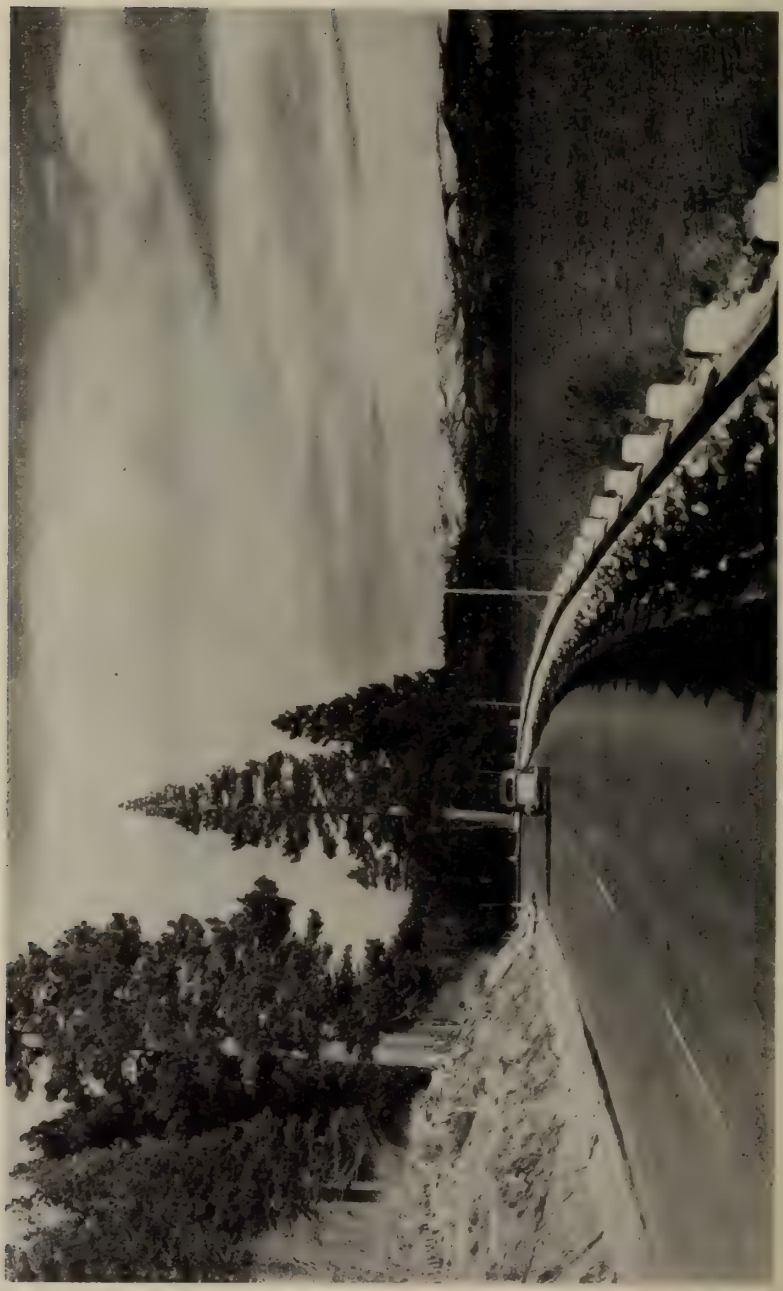


A-4

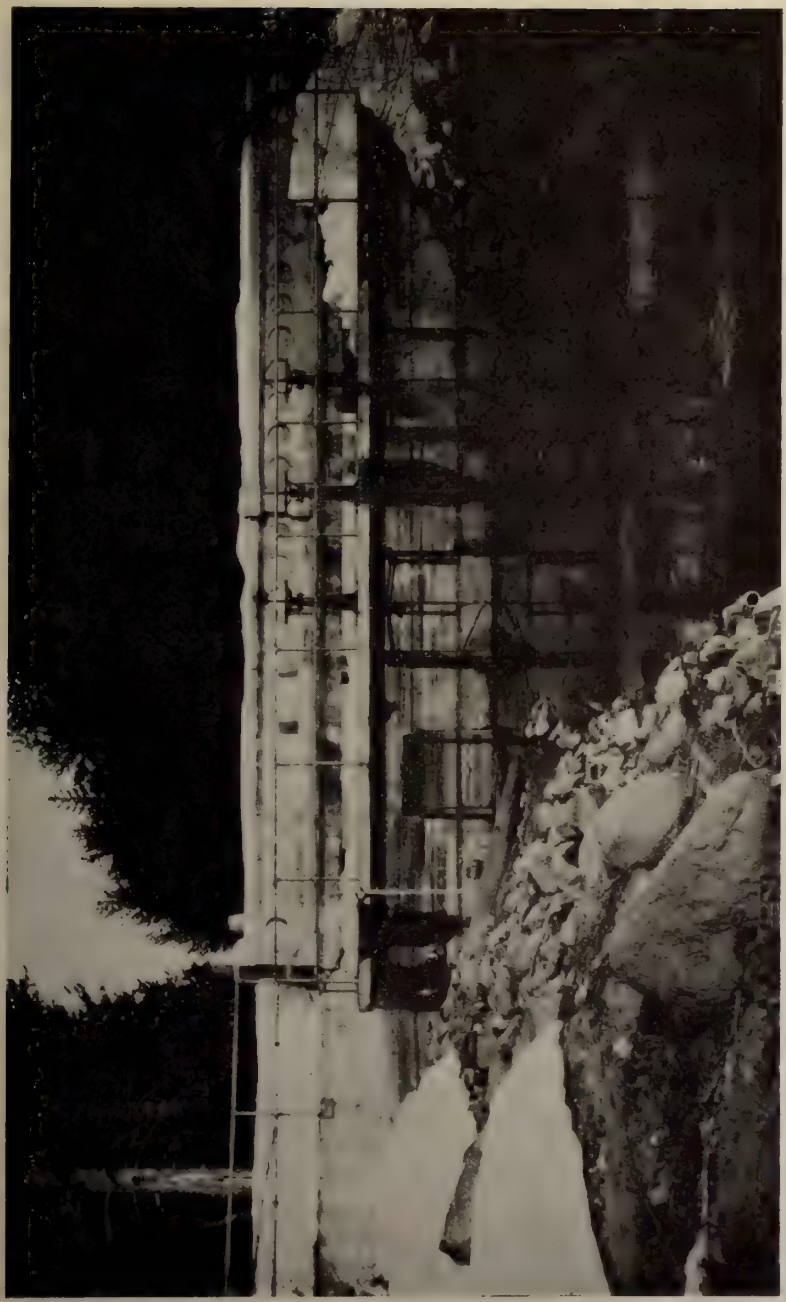


A-5

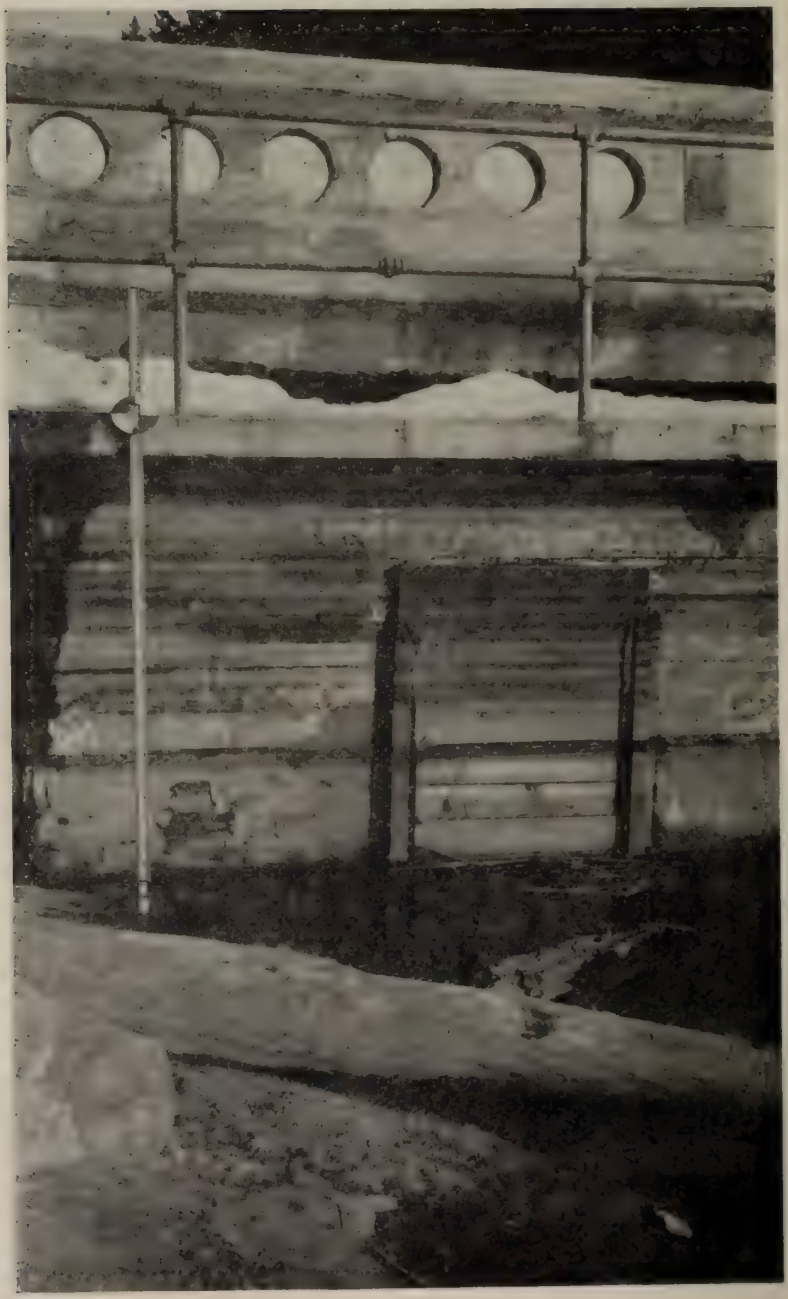
A-6



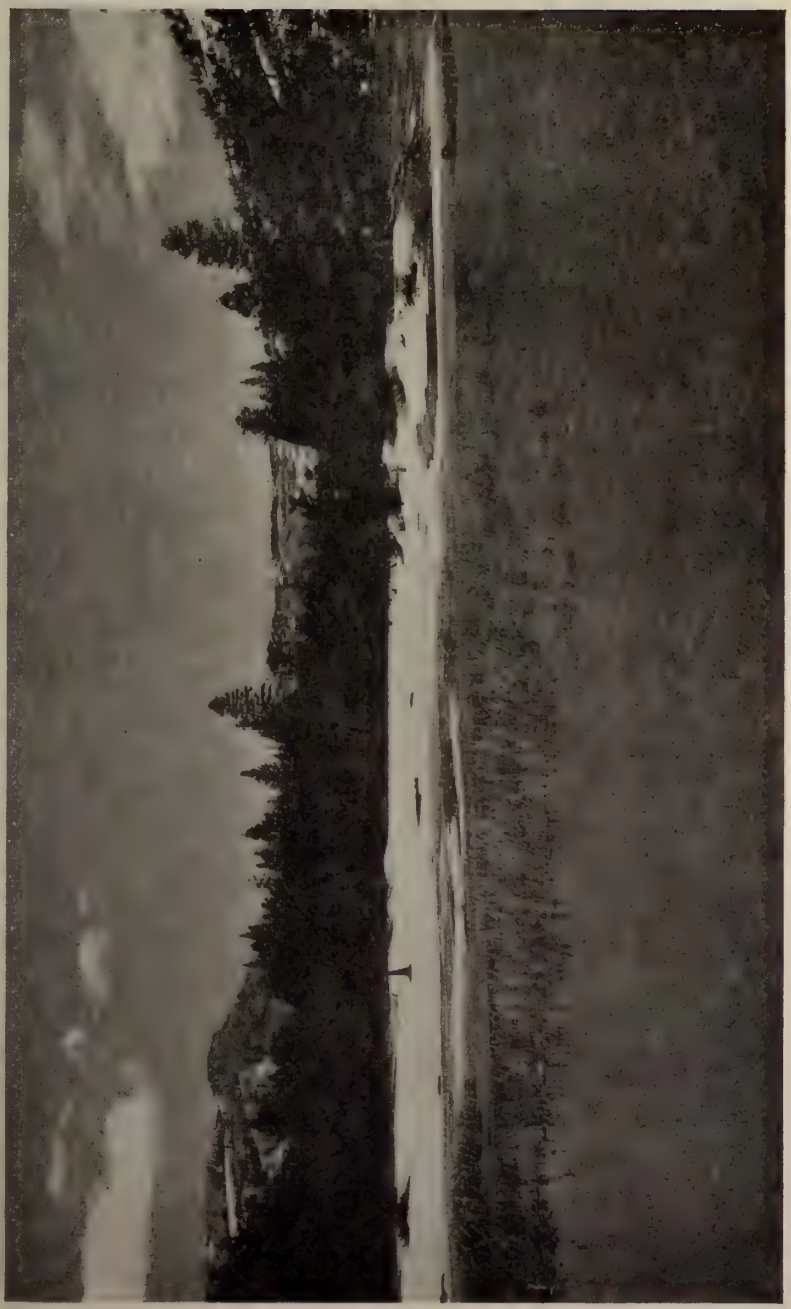
A-7



B-1

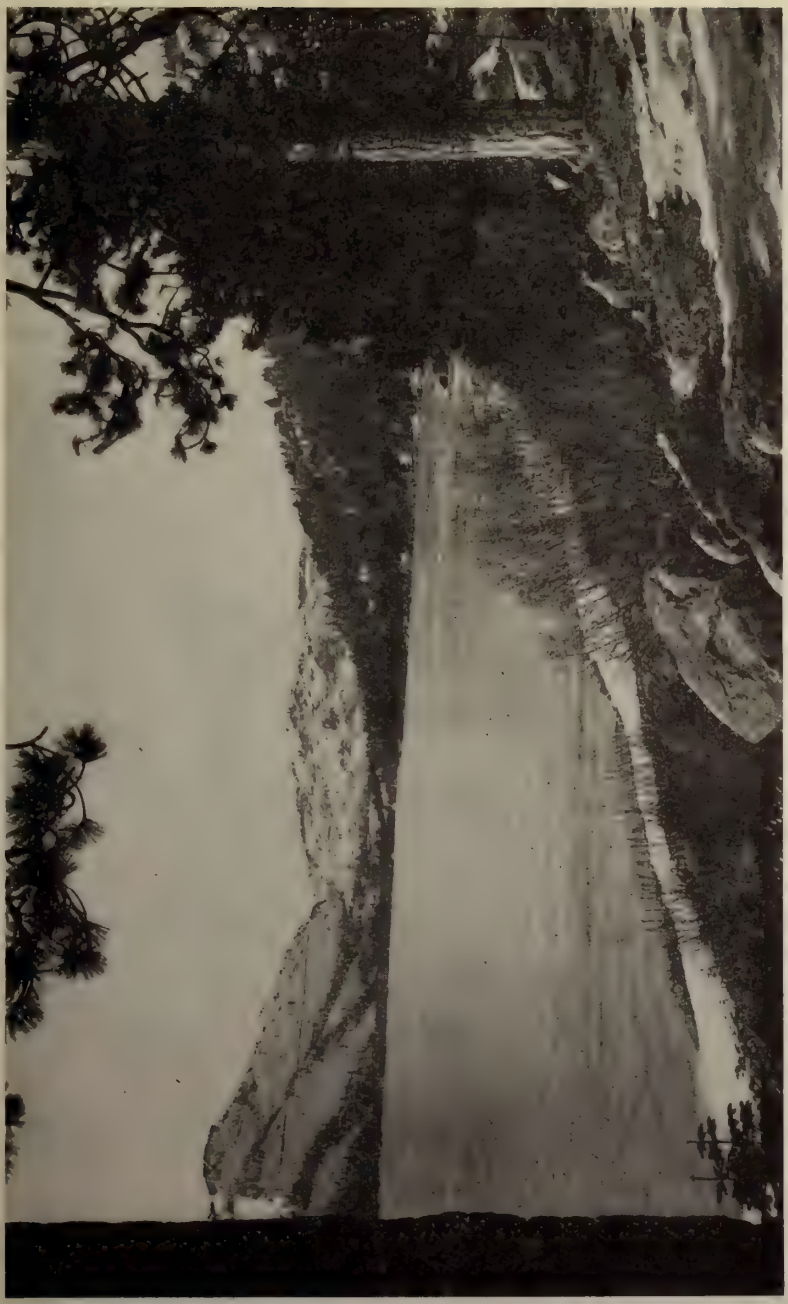


B-2



B-3

B-4



B-5

B-6

B-7

If we were to assume that legal proceedings were successfully prosecuted to prevent the use of Donner Lake as above indicated—and I may state here that I see no basis for any such legal action—I do not see how anything could be gained which would in any way add to the attractiveness of Donner Lake. On the other hand, I believe that if the State were to condemn the dam and the rights to control its operation, it would be necessary to operate the dam substantially as it is now being operated. From an engineering point of view, it is necessary to reduce the level of Donner Lake during the winter months so that storage space will be provided in the lake for the spring runoff. If the lake were not reduced at about this season of the year but were maintained to the level of the top of the dam, the spring runoff would cause the lake to rise to such an extent that the highway would be flooded and the dam by-passed by the waters, probably injuring or completely destroying the dam. We have been informed that this actually occurred in the fall of 1937. It will be recalled that there was a general very heavy storm in December of that year which resulted in floods in the Sacramento Valley and in other parts of the State. The level of Donner Lake had been kept up and when the torrential rains occurred at that time, more water flowed into Donner Lake than could be released through the dam, with the result that the level of the lake rose to the extent necessary to by-pass the dam and channels were cut which had to be backfilled in order to restore the lake to the desirable level.

Following the lowering of the level of the lake in 1943 the Division of Fish and Game reported that the withdrawal of water from the lake would have a very deleterious effect upon the fish life therein. We have since communicated with the Division of Fish and Game as to whether it had any exact information concerning Donner Lake or any proof that the fish life in the lake had suffered. The division reported that they had made no specific studies on Donner Lake and that no information relating specifically to that lake could be furnished for a period of years. Their previous statements had been based on the assumption that the natural feeding grounds for trout, which exist in shallow water and are shown on the pictures marked "A-3" and "B-3" were destroyed by the withdrawal of water from the lake. Those feeding grounds would not exist were it not for the dam as the elevation of the land upon which those feeding grounds exist is above the natural level of the lake. The conclusion is inescapable that rather than destroying feeding grounds, the operation of the dam actually makes the feeding grounds available for the fish life in the lake during the entire year except for the winter months when the lake is drawn down.

The engineering data furnished by the Sierra Pacific Power Company and the Truckee-Carson Irrigation District, as above mentioned, was checked by the State Division of Water Resources and in so far as the Division of Water Resources had information, the data supplied by the power company and the irrigation district was accurate.

It should be pointed out that because the waters stored in Donner Lake are used, for the most part, in the State of Nevada, no different legal result follows than if the water were used in California, as our statutes have long recognized a reciprocal right with the State of Nevada to appropriate the waters in one State for use in the other.

Under the facts above outlined, we do not see that the institution of any legal proceedings is called for. Neither do we have any legislation to suggest.

Very truly yours,

ROBERT W. KENNY
Attorney General

Attach.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, February 19, 1946

MR. PRESIDENT: The Committee on Rules has appointed the following Senators as Members of the Senate Committee on Economic Development of California, under the terms of Senate Resolution No. 48:

Carter, (Chairman), Cunningham, Jespersen

SEAWELL, Chairman

RESOLUTIONS

The following resolution was offered:

By Senators Quinn and Tenney:

Senate Resolution No. 52

Relative to adjournment in respect to the memory of Homer L. Chaillaux

Last night a soldier of America fell in combat. He fell fighting for the thing he had loved all his life and to which he had given in large measure through all his years, the American ideal of life and liberty.

Homer L. Chaillaux was born in Indiana. In 1916 he enlisted in the United States Army and participated in the campaign of the Mexican border disputes. He remained in the Army during World War I and went to France with the famous Second Infantry Division where he was commissioned in the field as a lieutenant during the great Allied push of September, 1917 which broke the power of the German army.

Following the war, Homer L. Chaillaux returned to his home in Inglewood, California, where he became one of the original founders and organizers of the American Legion, serving as Post Commander of Inglewood Post, District Commander and as State Commander of the American Legion in 1934.

Immediately thereafter he was appointed National Director of Americanism for the American Legion at National headquarters in Indianapolis where he became Nationally famous for over 10 years promoting a program to maintain the American way of life for which he had fought and sacrificed in battle. Using the strongest defense a soldier knows, he directed a forceful, sustained attack at everything which threatened the American way of life, whether it was foreign organization, mistaken zealot, or undesirable circumstance. He exposed and destroyed organizations seeking to weaken our National Government. He was constructive in his work for the future of America. He organized and promoted the junior baseball leagues for boys as a means of combating juvenile delinquency. Under his direction Boys State became a part of the youth training program of the American Legion.

Last night in San Fernando, in his capacity as Department Adjutant for the American Legion in California, he delivered a rousing address into which he poured the energy and enthusiasm which only he could command. It was an effort which his physical being could no longer sustain. His gallant heart was stricken, then stilled. At 48 years of age, Homer L. Chaillaux died, as he had lived, champion of the American ideal.

Comrades in arms and in the American Legion, knowing the life-long service of Homer L. Chaillaux to the ideals of Americanism for which they fought, will pause in tribute to a fallen comrade. Hearts will be saddened, and once again they will hear the last clear call of taps: solace, hope, and requiem:

Day is done. Gone the sun,
From the lake, from the hill, from the sky.
All is well. Safely rest.
God is nigh.

now, therefore, be it

Resolved by the Senate of the State of California, That the members of this Senate extend deepest sympathy to Mrs. Mimi Chaillaux, widow of Homer L. Chaillaux, and to his son, Pierre, who has just returned from four years of distinguished service with the American Army in the China-Burma-India theatre; and be it further

Resolved, That the Secretary of this Senate is requested to transmit suitably prepared copies of this resolution to the family of Homer L. Chaillaux; and be it further

Resolved, That when this Senate adjourns this nineteenth day of February, 1946, it do so out of respect to the memory of a gallant soldier and great American, Homer L. Chaillaux.

Resolution read, and adopted by a rising vote of the following Senators:

Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Judah, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Sutton, Swing, Tenney, Ward, and Weybret.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day respectfully refused to concur in Senate amendments to:

Assembly Bill No. 119—An act providing for a program of school district public works, creating the State School Building Commission, establishing the State School Building Fund, and making an appropriation to carry out the provisions of this act;

And appointed Messrs. Lowrey, Geddes, and Beck as a Committee on Conference to meet a like Committee from the Senate.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

REPORTS OF STANDING COMMITTEES

APPOINTMENT OF COMMITTEE ON CONFERENCE

SENATE CHAMBER, SACRAMENTO, February 19, 1946

MR. PRESIDENT: Your Committee on Rules announces the appointment of Senators Carter, Keating, and Hatfield as a Senate Committee on Conference concerning Assembly Bill No. 119 to meet a like committee of the Assembly.

SENATE COMMITTEE ON RULES
SEAWELL, Chairman

Committee on Rules

SENATE CHAMBER, SACRAMENTO, CALIFORNIA, February 19, 1946

MR. PRESIDENT: The Committee on Rules has appointed Senator Hulse as a Member of the Agriculture Research Study Committee, under the terms of Senate Bill No. 124.

SEAWELL, Chairman

RESOLUTIONS

The following resolution was offered:

By Senator Shelley:

Senate Resolution No. 53

Re: American Newspaper Guild Convention

WHEREAS, The San Francisco-Oakland Newspaper Guild, comprising employees of all newspapers published in the San Francisco Bay region, are endeavoring to bring the annual convention of the American Newspaper Guild to San Francisco in 1948; and

WHEREAS, Such a convention would coincide with the opening ceremonies of the projected three-year California centennial celebration; and

WHEREAS, The American Newspaper Guild with which the San Francisco-Oakland Newspaper Guild is affiliated, is the only National organization of newspaper employees, and a convention in San Francisco would bring hundreds of representative newspaper employees from all over the Nation to California as delegates and would reflect glory and credit on our State; and

WHEREAS, The mayor and board of supervisors of San Francisco and representative civic organizations in that city, and the Governor of the State of California have extended an invitation to the organization to meet in San Francisco in 1948; now, therefore, be it

Resolved, That the Senate of the State of California join in extending an invitation to the American Newspaper Guild to hold its 1948 convention in San Francisco; and be it further

Resolved, That the Secretary of the Senate is directed to send copies of this resolution to the executive secretary of the American Newspaper Guild and to the secretary of the San Francisco-Oakland Newspaper Guild.

Resolution read, and adopted.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 19.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

Above resolution ordered enrolled.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

SENATE CHAMBER, SACRAMENTO, February 19, 1946

MR. PRESIDENT: The Committee on Conference concerning:

Assembly Bill No. 119—An act providing for a program of public works construction for distressed school districts, creating the State School Building Commission, and making an appropriation to carry out the provisions of this act;

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:
That the amendments of the Senate be concurred in, and that the bill, as amended on February 19, 1946, be further amended as follows:

Amendment No. 1

On page 2 of the printed bill, as amended, strike out lines 4 to 17, inclusive, and insert

"SEC. 2. A "distressed school district" as used in this act, is one that the State School Building Commission, hereinafter created, determines after investigation and hearing, has need for assistance from State funds to provide adequately for classroom facilities which are hereby declared".

Amendment No. 2

On page 4 of said bill, strike out lines 27 to 36, inclusive.

CARTER
KEATING
HATFIELD
Senate Committee on Conference

LOWREY
GEDDES
Assembly Committee on Conference

Previous Question

Senator Gordon moved the previous question.

Motion carried.

The question being on the adoption of the conference report.

The roll was called, and the report adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Carter, Collier, Crittenden, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Rich, Seawell, Shelley, Slater, Sutton, Tenney, Ward, and Weybret—31.
NOES—Senator Judah—1.

REPORTS OF STANDING COMMITTEES

Committee on Education

SENATE CHAMBER, SACRAMENTO, February 19, 1946

MR. PRESIDENT: Your Committee on Education, to which were referred:

Senate Bill No. 38
Senate Bill No. 73
Senate Bill No. 101
Senate Bill No. 105

Respectfully reports the same back without recommendation for the reason that no committee action has been taken.

SLATER, Chairman

Committee on Finance

SENATE CHAMBER, SACRAMENTO, February 19, 1946

MR. PRESIDENT: Your Committee on Finance, to which were referred:

Senate Bill No. 36
Senate Bill No. 54
Senate Bill No. 65
Senate Bill No. 86
Senate Bill No. 117
Assembly Bill No. 63
Assembly Bill No. 76
Assembly Bill No. 79
Assembly Bill No. 83
Assembly Bill No. 90
Assembly Bill No. 99
Assembly Bill No. 124
Assembly Bill No. 160
Assembly Bill No. 168

Respectfully reports the same back without recommendation for the reason that no committee action has been taken.

RICH, Chairman

Committee on Fish and Game

SENATE CHAMBER, SACRAMENTO, February 19, 1946

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred:

Senate Bill No. 95

Respectfully reports the same back without recommendation for the reason that no committee action has been taken.

GORDON, Chairman

Committee on Governmental Efficiency

SENATE CHAMBER, SACRAMENTO, February 19, 1946

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which were referred:

Senate Bill No. 6
Senate Bill No. 7
Senate Bill No. 8
Senate Bill No. 16
Senate Bill No. 18
Senate Bill No. 69
Senate Bill No. 72
Senate Bill No. 74
Assembly Bill No. 9
Senate Constitutional Amendment No. 1
Senate Constitutional Amendment No. 3

Respectfully reports the same back without recommendation for the reason that no committee action has been taken.

SWING, Chairman

Committee on Judiciary

SENATE CHAMBER, SACRAMENTO, February 19, 1946

MR. PRESIDENT: Your Committee on Judiciary, to which were referred:

Senate Bill No. 4
Senate Bill No. 9
Senate Constitutional Amendment No. 2

Respectfully reports the same back without recommendation for the reason that no committee action has been taken.

KEATING, Chairman

Committee on Labor

SENATE CHAMBER, SACRAMENTO, February 19, 1946

MR. PRESIDENT: Your Committee on Labor, to which were referred:

Senate Bill No. 108
Senate Bill No. 115
Senate Bill No. 43
Assembly Bill No. 39

Respectfully reports the same back without recommendation for the reason that no committee action has been taken.

SHELLEY, Chairman

Committee on Local Government

SENATE CHAMBER, SACRAMENTO, February 19, 1946

MR. PRESIDENT: Your Committee on Local Government, to which were referred:

Senate Bill No. 63
Senate Bill No. 80
Senate Bill No. 107

Respectfully reports the same back without recommendation for the reason that no committee action has been taken.

CUNNINGHAM, Chairman

Committee on Military and Veterans Affairs

SENATE CHAMBER, SACRAMENTO, February 19, 1946

MR. PRESIDENT: Your Committee on Military and Veterans Affairs, to which were referred:

Senate Bill No. 10
Senate Bill No. 20
Senate Bill No. 25
Senate Bill No. 28
Senate Bill No. 30
Senate Bill No. 44
Senate Bill No. 47
Senate Bill No. 51
Senate Bill No. 93
Senate Bill No. 81
Senate Bill No. 111
Assembly Bill No. 64
Assembly Bill No. 132

Respectfully reports the same back without recommendation for the reason that no committee action has been taken.

QUINN, Chairman

Committee on Natural Resources

SENATE CHAMBER, SACRAMENTO, February 19, 1946

MR. PRESIDENT: Your Committee on Natural Resources, to which was referred:

Assembly Concurrent Resolution No. 11

Respectfully reports the same back without recommendation for the reason that no committee action has been taken.

FLETCHER, Chairman

Committee on Public Health and Safety

SENATE CHAMBER, SACRAMENTO, February 19, 1946

MR. PRESIDENT: Your Committee on Public Health and Safety, to which were referred:

Senate Bill No. 57
Senate Bill No. 67
Senate Bill No. 68

Respectfully reports the same back without recommendation for the reason that no committee action has been taken.

COLLIER, Chairman

Committee on Public Utilities

SENATE CHAMBER, SACRAMENTO, February 19, 1946

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred:

Senate Bill No. 96

Respectfully reports the same back without recommendation for the reason that no committee action has been taken.

PARKMAN, Chairman

Committee on Rules

SENATE CHAMBER, SACRAMENTO, February 19, 1946

MR. PRESIDENT: Your Committee on Rules, to which were referred:

Proposed Senate Bill No. 122
Senate Resolution No. 29
Proposed Senate Joint Resolution No. 11

Respectfully reports the same back without recommendation for the reason that no committee action has been taken.

SEAWELL, Chairman

Committee on Transportation

SENATE CHAMBER, SACRAMENTO, February 19, 1946

MR. PRESIDENT: Your Committee on Transportation, to which were referred:

Senate Bill No. 82
Assembly Bill No. 43

Respectfully reports the same back without recommendation for the reason that no committee action has been taken.

McCORMACK, Chairman

Committee on Water Resources

SENATE CHAMBER, SACRAMENTO, February 19, 1946

MR. PRESIDENT: Your Committee on Water Resources, to which were referred:

Senate Bill No. 35
Senate Bill No. 75

Respectfully reports the same back without recommendation for the reason that no committee action has been taken.

JESPERSEN, Chairman

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, February 19, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 49—An act providing for research and its adaptation to the production, processing, distribution and utilization of agricultural products grown in the State of California and making an appropriation therefor, declaring the urgency of this act, to take effect immediately;

Senate Bill No. 83—An act to add Chapter 13.6 to Division 3 of the Education Code, relating to the support of school districts in distress as a result of war created conditions, and making an appropriation therefor;

Senate Bill No. 84—An act making an appropriation for investigation, survey and report concerning construction and operation of public works for the control and utilization of the flood waters of streams in Kern County, an urgency measure to take effect immediately;

Senate Bill No. 110—An act to add Section 6.1 to the Alcoholic Beverage Control Act, relating to veterans' organizations and providing for the issuance of on-sale distilled spirits licenses to such organizations;

Senate Bill No. 112—An act to amend Section 205 of the Revenue and Taxation Code, relating to the veterans' exemption;

Senate Bill No. 114—An act to amend Section 1262 of, and to add Section 1263 to, the Military and Veterans Code, relating to memorial buildings;

And reports that the same have been correctly enrolled, and presented to the Governor on the nineteenth day of February, 1946, at 2 p.m.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, February 19, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 116—An act making an appropriation for public works to facilitate the making of snow surveys;

Senate Bill No. 118—An act making an appropriation to the Department of Public Works, Division of Water Resources, for repair and restoration of a bridge damaged by storm and flood, declaring the urgency thereof, to take effect immediately;

Senate Bill No. 119—An act to add Section 19626.5 to the Business and Professions Code, authorizing Agricultural District 1A to expend money for construction, improvements and equipment, declaring the urgency of this act, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the nineteenth day of February, 1946, at 1 p.m.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, February 19, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 120—An act to amend Sections 21290, 21291, 21295, and 21298 of the Government Code, and to add Section 21297 thereto, relating to retirement allowances payable by the State Employees' Retirement System in cases of retirement for disability, and declaring the urgency thereof, to take effect immediately;

Senate Bill No. 123—An act to repeal Section 14 of an act entitled "An act to provide a unified program of construction, improvement, and equipment for State agencies, creating a State Public Works Board, and making an appropriation to carry out the provisions of this act," enacted at the First Extraordinary Session of the Fifty-sixth Legislature, relating to public works;

Senate Bill No. 124—An act to create an Agricultural Research Study Committee, provide for its powers and duties, and making an appropriation;

And reports that the same have been correctly enrolled, and presented to the Governor on the nineteenth day of February, 1946, at 2 p.m.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, February 19, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 41—An act making an appropriation for projects for flood control in this State, creating a special fund in the State treasury for such projects, and making allocations for certain projects, declaring the urgency of this act, to take effect immediately;

Senate Bill No. 125—An act to amend Section 24626 of the Education Code, relating to the use of county funds for the support and maintenance of extension work in agriculture and home economics;

And reports that the same have been correctly enrolled, and presented to the Governor on the nineteenth day of February, 1946, at 1.30 p.m.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, February 19, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Concurrent Resolution No. 19—Relative to providing funds for the Joint Committee on Water Problems;

Senate Joint Resolution No. 3—Relative to proposed reparations to American residents of the Philippines detained during the war in Japanese prison camps, and memorializing Congress in regard thereto;

Senate Joint Resolution No. 8—Relative to encouraging the resumption of gold mining;

Senate Joint Resolution No. 9—Relative to establishment of National Parks;

Senate Joint Resolution No. 10—Relative to the permanent establishment of Camp Beale;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the nineteenth day of February, 1946, at 1.30 p.m.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, February 19, 1946

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Concurrent Resolution No. 17—Relative to the Joint Fact-Finding Committee on Highways, Streets and Bridges;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the nineteenth day of February, 1946, at 1 p.m.

SEAWELL, Chairman

RESOLUTIONS

The following resolutions were offered:

By Senator Powers:

Senate Resolution No. 54

Resolved, That the President of the Senate appoint a Committee of Three to notify the Governor that the Senate is ready to adjourn sine die the Fifty-sixth (Extraordinary) Session of the Legislature pursuant to the provisions of Senate Concurrent Resolution No. 18 and to ask if His Excellency has any further communications to transmit to the Senate.

Resolution read, and on motion of Senator Powers, adopted.

Appointment of Special Committee

The President announced, in accordance with the above resolution, the appointment of Senators DeLap, Hulse, and Slater.

By Senator Keating:

Senate Resolution No. 55

Resolved, That the President of the Senate appoint a Committee of Three to notify the Assembly that the Senate is ready to adjourn sine die the Fifty-sixth (Extraordinary) Session of the Legislature pursuant to the provisions of Senate Concurrent Resolution No. 18 and to ask if the Assembly has any further communication to transmit to the Senate.

Resolution read, and on motion of Senator Keating, adopted.

Appointment of Special Committee

The President announced, in accordance with the above resolution, the appointment of Senators Breed, Tenney, and Powers.

MESSAGE FROM THE ASSEMBLY

At 2.55 p.m., a Committee from the Assembly consisting of Messrs. Dills, Ralph C., Maloney, and Middough appeared at the bar of the Senate and announced that the Assembly was prepared to adjourn sine die.

REPORTS OF SPECIAL COMMITTEES

Senators DeLap, Hulse, and Slater appointed to wait upon the Governor and inform him of the readiness of the Senate to adjourn sine die in accordance with Senate Concurrent Resolution No. 18, reported that they had performed their duty.

Senators Breed, Tenney, and Powers appointed to inform the Assembly of the readiness of the Senate to adjourn sine die in accordance with Senate Concurrent Resolution No. 18, reported they had performed their duty.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly appointed Messrs. Burke, Knight, and Erwin as a Second Committee on Conference concerning:

Assembly Bill No. 119—An act providing for a program of school district public works, creating the State School Building Commission, establishing the State School Building Fund, and making an appropriation to carry out the provisions of this act.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day returns without further action:

Senate Bill No. 17
Senate Bill No. 22
Senate Bill No. 29
Senate Bill No. 34
Senate Bill No. 53
Senate Bill No. 79
Senate Bill No. 87
Senate Bill No. 89
Senate Bill No. 90
Senate Bill No. 91
Senate Bill No. 113
Senate Bill No. 121
Senate Bill No. 58
Senate Bill No. 78
Senate Bill No. 46
Senate Joint Resolution No. 1

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1946

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

Assembly Bill No. 19
Assembly Concurrent Resolution No. 3
Assembly Concurrent Resolution No. 26

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

APPROVAL OF MINUTES

The minutes of this legislative day, Tuesday, February 19, 1946, were on motion of Senator Powers, approved as corrected by the Minute Clerk and Journal Clerk.

MOTION TO ADJOURN

Senator Powers moved that, pursuant to Senate Concurrent Resolution No. 18, the Fifty-sixth (First Extraordinary) Session do now adjourn sine die.

FINAL ADJOURNMENT

Whereupon, at 3 p.m., the President of the Senate declared the Fifty-sixth (First Extraordinary) Session of the Senate of the State of California adjourned sine die, out of respect to the memory of the late Homer L. Chaillaux.

JOHN F. LEA, Minute Clerk

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5 Presented to Committee on Rules, 68; from Rules Committee, 74; introduced, to committee, 75; from committee, re-referred to committee, 125; read second time, 241; from committee, 230; read third time, passed, to Assembly, 259; from Assembly, to enrollment, 443; to Governor 480

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